



ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ
ಸಾಮಾನ್ಯ ಶಾಸನಬಳ್ಳ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬಳ್ಳ ಆದೇಶಗಳು ಮತ್ತು
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ
ಮನಃ ಪ್ರಕಟಿಸಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂಖ್ಯಾಂಶ 05 ಕೇಳಾಪ್ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 12.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟಿಸಾದ THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR
MEANS) ACT, 2024 (NO. 1 OF 2024) ಅನ್ನ ಸಾರ್ವಜನಿಕ ಮಾಹಿತಿಗಾಗಿ
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

(ಜಿಎಂ)



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-अ.-१३०२२०२४-२५२००६
CG-DL-E-13022024-252006

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 1] नई दिल्ली, सोमवार, फरवरी 12, 2024/माघ 23, 1945 (शक)
No. 1] NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024

No. 1 OF 2024

[12th February, 2024.]

An Act to prevent unfair means in the public examinations and to provide for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Public Examinations (Prevention of Unfair Means) Act, 2024.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (1) In this Act, unless the context otherwise requires,—

(a) “candidate” means a person who has been granted permission by the public examination authority to appear in public examination and includes a person authorised to act as a scribe on his behalf in the public examination;

(b) “communication device” shall have the same meaning assigned to it in clause (ha) of sub-section (1) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(c) “competent authority” shall mean the Ministry or a Department of the Central Government administratively concerned with the public examination authority;

(d) “computer network”, “computer resource” and “computer system” shall have the meanings respectively assigned to them in clauses (j), (k) and (l) of sub-section (1) of section 2 of the Information Technology Act, 2000;

21 of 2000.

(e) “conduct of public examination” shall include all the procedures, processes and activities, as may be prescribed, for being adopted for the conduct of public examination;

(f) “institution” means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, by whatever name it may be called, which is other than the public examination authority and the service provider engaged by such authority.

Explanation.—For the purposes of this clause, it is clarified that “company” includes a company as defined in clause (20) of section 2 of the Companies Act, 2013; or a limited liability partnership firm as defined in clause (n) of sub-section (1) of section 2 of the Limited Liability Partnership Act, 2008;

18 of 2013.

7 of 2009.

(g) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(h) “organised crime” means an unlawful activity committed by a person or a group of persons indulging in unfair means in collusion and conspiracy to pursue or promote a shared interest for wrongful gain in respect of a public examination;

(i) “person associated with a service provider” means a person who performs services for or on behalf of such service provider irrespective of whether such person is an employee or an agent or a subsidiary of such service provider, as the case may be;

(j) “prescribed” means prescribed by rules made under this Act;

(k) “public examination” means any examination conducted by the public examination authority, as specified in the Schedule, or conducted by such other authority as may be notified by the Central Government;

(l) “public examination authority” means an authority as specified by the Central Government by a notification, from time to time for conducting the public examinations;

(m) “public examination centre” means such premises, which is selected by the service provider or otherwise selected by the public examination authority, to be used for conduct of public examination and which, amongst others, may include any school, computer centre, institution, any building or part thereof and the same shall include the entire periphery and land appurtenant thereto which may be used for security and other related reasons for conduct of the public examinations; and

(n) "service provider" means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, including its associates, sub-contractors and provider of support of any computer resource or any material, by whatever name it may be called, which is engaged by the public examination authority for conduct of public examination.

(2) Words and expressions used herein but not defined and defined under any other law for the time being in force, shall have the same meanings as assigned to them in those laws.

CHAPTER II

UNFAIR MEANS AND OFFENCES

3. The unfair means relating to the conduct of a public examination shall include any act or omission done or caused to be done by any person or group of persons or institutions, and include but not be restricted to, any of the following acts for monetary or wrongful gain—

Unfair means.

- (i) leakage of question paper or answer key or part thereof;
- (ii) participating in collusion with others to effect leakage of question paper or answer key;
- (iii) accessing or taking possession of question paper or an Optical Mark Recognition response sheet without authority;
- (iv) providing solution to one or more questions by any unauthorised person during a public examination;
- (v) directly or indirectly assisting the candidate in any manner unauthorisedly in the public examination;
- (vi) tampering with answer sheets including Optical Mark Recognition response sheets;
- (vii) altering the assessment except to correct a *bona fide* error without any authority;
- (viii) willful violation of norms or standards set up by the Central Government for conduct of a public examination on its own or through its agency;
- (ix) tampering with any document necessary for short-listing of candidates or finalising the merit or rank of a candidate in a public examination;
- (x) deliberate violation of security measures to facilitate unfair means in conduct of a public examination;
- (xi) tampering with the computer network or a computer resource or a computer system;
- (xii) manipulation in seating arrangements, allocation of dates and shifts for the candidates to facilitate adopting unfair means in examinations;
- (xiii) threatening the life, liberty or wrongfully restraining persons associated with the public examination authority or the service provider or any authorised agency of the Government; or obstructing the conduct of a public examination;
- (xiv) creation of fake website to cheat or for monetary gain; and
- (xv) conduct of fake examination, issuance of fake admit cards or offer letters to cheat or for monetary gain.

Conspiracy for unfair means.

Disruption to conduct public examination.

Other offences.

No premises other than examination centre shall be used for public examination.

Offences in respect of service providers and other persons.

4. No person or group of persons or institutions shall collude or conspire to facilitate indulgence in any such unfair means.

5. (1) No person, who is not entrusted or engaged with the work pertaining to the public examination or conduct of public examination or who is not a candidate, shall enter the premises of the examination centre, with intent to disrupt the conduct of the public examination.

(2) No person authorised, engaged or entrusted with the duties to conduct public examination shall, before the time fixed for opening and distribution of question papers—

(a) open, leak or possess or access or solve or seek assistance to solve such question paper or any portion or a copy thereof in unauthorised manner for monetary or wrongful gain;

(b) give any confidential information or promise to give such confidential information to any person, where such confidential information is related to or in reference to such question paper for monetary or wrongful gain.

(3) No person, who is entrusted or engaged with any work pertaining to public examination shall, except where he is authorised in furtherance of his duties so to do, reveal or cause to be revealed or make known to any other person any information or part thereof which has come to his knowledge for any undue advantage or wrongful gain.

6. If any person or group of persons or institution commits any unfair means or offence under sections 3, 4 and section 5, the service provider shall forthwith report the offence to the concerned police authorities and also inform the public examination authority:

Provided that if the service provider resorts to unfair means and commits the offence or is involved in facilitating an offence, the public examination authority shall report the same to the concerned police authorities.

7. It shall be an offence for the service provider or any person associated with the service provider to cause any premises, other than the examination centre, authorised by the public examination authority, to be alternatively used for the purpose of holding public examination, without the written approval of the public examination authority:

Provided that nothing contained in this section shall be an offence where any change in the examination centre without prior consent of the public examination authority is due to any *force majeure*.

8. (1) Any person, including the person associated with a service provider, shall be deemed to have committed an offence if he individually or in collusion with any other person or group of persons or institutions assists any person or group of persons or institutions in any manner unauthorisedly in the conduct of public examination.

(2) Service provider or any person associated with it shall be deemed to have committed an offence if he fails to report incidence of any unfair means or commission of any offence.

(3) Where an offence committed by a service provider is, *prima facie*, established during investigation to have been committed with the consent or connivance of any director, manager, secretary or other officer of such service provider, such person shall also be liable to be proceeded against:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

CHAPTER III

PUNISHMENT FOR OFFENCES

9. All offences under this Act, shall be cognizable, non-bailable and non-compoundable.

Cognizable offences.

10. (1) Any person or persons resorting to unfair means and offences under this Act, shall be punished with imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed, as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Punishment for offences under this Act.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) The service provider shall also be liable to be punished with imposition of a fine up to one crore rupees and proportionate cost of examination shall also be recovered from such service provider and he shall also be barred from being assigned with any responsibility for the conduct of any public examination for a period of four years.

(3) Where it is established during the investigation that offence under this Act has been committed with the consent or connivance of any Director, Senior Management or the persons in-charge of the service provider firm, he shall be liable for imprisonment for a term not less than three years but which may extend to ten years and with fine of one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(4) Nothing contained in this section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

Organised crimes.

11. (1) If a person or a group of persons including the examination authority or service provider or any other institution commits an organised crime, he shall be punished with imprisonment for a term not less than five years but which may extend to ten years and with fine which shall not be less than one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) If an institution is involved in committing an organised crime, its property shall be subjected to attachment and forfeiture and proportionate cost of examination shall also be recovered from it.

CHAPTER IV

INQUIRY AND INVESTIGATION

12. (1) An officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police shall investigate any offence under this Act.

Officers empowered to investigate.

(2) Notwithstanding anything contained in sub-section (1), the Central Government shall have the powers to refer the investigation to any Central Investigating Agency.

CHAPTER V

MISCELLANEOUS

Members, officers and employees of public examination authority to be public servants.

Protection of action taken in good faith by any public servant.

Provisions of this Act to be in addition to other laws.

Power to make rules.

Laying of rules.

Power to remove difficulties.

13. The Chairperson, Members, officers and other employees of the public examination authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

14. No suit, prosecution or other legal proceedings under this Act, shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers:

Provided that the public servants in the service of any public examination authority shall be subject to administrative action in terms of service rules of such public examination authority:

Provided further that nothing shall prevent proceeding against such public servants where, *prima facie* case exists for establishing commission of an offence under this Act.

15. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force:

Provided that the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law in force.

16. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) to lay down procedures, processes and activities for being adopted for conduct of the public examination;

(b) any other matter which is to be or may be prescribed.

17. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session, immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions within three years, not inconsistent with the provisions of this Act, as appear to it to be necessary for removal of difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

CHAPTER VI

AMENDMENT TO THE CRIMINAL LAW (AMENDMENT) ORDINANCE, 1944

19. In the Criminal Law (Amendment) Ordinance, 1944, in the Schedule, after serial number 5 and entries relating thereto, the following serial number and entries shall be inserted, namely:—

"6. An offence punishable under the Public Examinations (Prevention of Unfair Means) Act, 2024.".

Amendment of
Ordinance 38 of
1944.

THE SCHEDULE

[See section 2 (k)]

ANY EXAMINATION CONDUCTED BY—

1. Union Public Service Commission.
 2. Staff Selection Commission.
 3. Railway Recruitment Boards.
 4. Institute of Banking Personnel Selection.
 5. Ministries or Departments of the Central Government and their attached and subordinate offices for recruitment of staff.
 6. National Testing Agency.
 7. Such other authority as may be notified by the Central Government.
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DR. RAJIV MANI,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-27

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜ 06 ಕೇಶಾಪ್ 2024 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 12.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE JAMMU AND KASHMIR LOCAL BODIES LAWS (AMENDMENT) ACT, 2024 (NO. 2 OF 2024) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ:-



भारत का राजपत्र

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 2]

नई दिल्ली, सोमवार, फरवरी 12, 2024/ माघ 23, 1945 (शक)

No. 2]

NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE JAMMU AND KASHMIR LOCAL BODIES LAWS (AMENDMENT) ACT, 2024 (No. 2 OF 2024)

[12th February, 2024.]

An Act further to amend the Jammu and Kashmir Panchayati Raj Act, 1989 (IX of 1989), the Jammu and Kashmir Municipal Act, 2000 (XX of 2000) and the Jammu and Kashmir Municipal Corporation Act, 2000 (XXI of 2000).

WHEREAS the Legislative Assembly of the Union territory of Jammu and Kashmir is not in existence and proclamation made by the Government of India *vide* number S.O. 3937 (E), dated the 31st October, 2019, in terms of section 73 of the Jammu and Kashmir Reorganisation Act, 2019 is in force;

AND WHEREAS in terms of the aforesaid Proclamation, the powers of the Legislature of the Union territory of Jammu and Kashmir shall be exercisable by or under the authority of Parliament.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Jammu and Kashmir Local Bodies Laws (Amendment) Act, 2024. Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

AMENDMENTS TO THE JAMMU AND KASHMIR PANCHAYATI RAJ ACT, 1989

Amendment of
section 2.

- 2.** In section 2 of the Jammu and Kashmir Panchayati Raj Act, 1989 (hereafter in this Chapter referred to as the Panchayati Raj Act), in sub-section (1), after clause (l), the following clause shall be inserted, namely:—

Jammu and
Kashmir Act
IX of 1989.

Substitution of
section 2A.

‘(la) “Other Backward Classes” means the Other Backward Classes declared by the Government of the Union territory of Jammu and Kashmir from time to time in accordance with sub-clause (iii) of clause (o) of section 2 of the Jammu and Kashmir Reservation Act, 2004;’.

Jammu and
Kashmir Act
XIV of 2004.

Construction of
reference of
certain
expressions by
certain other
expressions.

- 3.** For section 2A of the Panchayati Raj Act, the following section shall be substituted, namely:—

‘2A. Throughout the Act, for the words “District Planning and Development Board” and “District Panchayat Officer” wherever they occur, the words “the District Development Council” and “Assistant Commissioner of Panchayat” shall respectively be substituted.’.

Amendment of
section 4.

- 4.** In section 4 of the Panchayati Raj Act, in sub-section (3),—

(a) in the first proviso,—

(i) in clause (a), the word “and” occurring at the end shall be omitted;

(ii) for clause (b), the following clauses shall be substituted, namely:—

“(b) the Scheduled Tribes; and

(c) the Other Backward Classes,”;

(iii) in the long line, after the words “or of the Scheduled Tribes in that Panchayat area”, the words “or of the Other Backward Classes in that Panchayat area” shall be inserted;

(b) in the second proviso,—

(i) in clause (a), for the words “or, as the case may be, the Scheduled Tribes”, the words “or the Scheduled Tribes or the Other Backward Classes, as the case may be,” shall be substituted;

(ii) in clause (b), for the words “and the Scheduled Tribes”, the words “the Scheduled Tribes and the Other Backward Classes” shall be substituted.

Amendment of
section 27.

- 5.** In section 27 of the Panchayati Raj Act, in sub-section (3),—

(a) in the first proviso,—

(i) in clause (a), the word “and” occurring at the end shall be omitted;

(ii) for clause (b), the following clauses shall be substituted, namely:—

“(b) the Scheduled Tribes; and

(c) the Other Backward Classes,”;

(iii) in the long line, after the words “or of the Scheduled Tribes in that district”, the words “or of the Other Backward Classes in that district” shall be inserted;

(b) in the second proviso,—

(i) in clause (a), for the words “or, as the case may be, the scheduled tribes,”, the words “or the Scheduled Tribes or the Other Backward Classes, as the case may be,” shall be substituted;

(ii) in clause (b), for the words “or the Scheduled Tribes”, the words “or the Scheduled Tribes or the Other Backward Classes” shall be substituted.

6. In section 36A of the Panchayati Raj Act, for sub-sections (2) and (3), the following sub-sections shall be substituted, namely:

Amendment of
section 36A.

“(2) The salary, allowance and other conditions of service of the State Election Commissioner shall be such as the Lieutenant Governor may, by rules, determine:

Provided that if a person who, immediately before the date of assuming office as the State Election Commissioner is in receipt of or has received or has become entitled to receive a pension, other than a disability pension, in respect of any previous service under the Government of India or under the Government of a State or under the Government of a Union territory, his pay in respect of service as State Election Commissioner shall be reduced—

(a) by the amount of that pension; and

(b) if he had, before assuming office, received, in *lieu* of a portion of the pension due to him in respect of such previous service, the commuted value thereof, by the amount of that portion of the pension.

(3) The travelling allowance, provision of rent-free accommodation, conveyance facilities, medical facilities available to a person at the time of retirement or at the time of his appointment as State Election Commissioner, so far as may be, shall be admissible to him.

(4) The power to grant or refuse leave to the State Election Commissioner and to revoke or curtail leave granted to him, shall vest in the Lieutenant Governor.”.

7. For section 36B of the Panchayati Raj Act, the following section shall be substituted, namely:

Substitution of
section 36B.

“36B. The State Election Commissioner shall not be removed from his office except in like manner and on the like ground as a Judge of a High Court and the conditions of service of the State Election Commissioner shall not be varied to his disadvantage after his appointment.”.

Removal of
State Election
Commissioner.

8. In section 36D of the Panchayati Raj Act, in sub-section (2),—

Amendment of
section 36D.

(a) for the opening portion “The Commission shall have the power to”, the opening portion “The Commission referred to in sub-section (1) shall” shall be substituted;

(b) in clause (b), for the words “give such directions”, the words “by order give such directions” shall be substituted;

(c) in clause (c), for the word “delegate”, the words “by order, delegate, subject to such restrictions mentioned therein,” shall be substituted.

9. In section 39 of the Panchayati Raj Act, after clause (iii), the following clause shall be inserted, namely:

Amendment of
section 39.

“(iv) such other grounds as may be determined by the State Election Commission.”.

Amendment of
section 45A.

10. In section 45A of the Panchayati Raj Act,—

(a) in sub-section (4),—

(i) in clause (a), the word “and” occurring at the end shall be omitted;

(ii) for clause (b), the following clauses shall be substituted, namely:—

“(b) for the Scheduled Tribes; and

(c) for the Other Backward Classes,”;

(iii) in the long line, after the words “or of the Scheduled Tribes in the district”, the words “or of the Other Backward Classes in the district” shall be inserted;

(b) in sub-section (5), for the words “or, as the case may be, the Scheduled Tribes,”, the words “or the Scheduled Tribes or the Other Backward Classes, as the case may be,” shall be substituted;

(c) in sub-section (6), for the words “Scheduled Castes and the Scheduled Tribes”, the words “Scheduled Castes, the Scheduled Tribes and the Other Backward Classes” shall be substituted.

CHAPTER III

AMENDMENTS TO THE JAMMU AND KASHMIR MUNICIPAL ACT, 2000

Construction of
reference of
certain
expressions by
certain other
expressions.

Amendment of
section 2.

11. Throughout the Jammu and Kashmir Municipal Act, 2000, (hereafter in this Chapter referred to as the Municipal Act), for the words "Chief Electoral Officer" and "Backward Classes", wherever they occur, the words "State Election Commission" and "Other Backward Classes" shall respectively be substituted.

Jammu and
Kashmir Act
XX of 2000.

12. In section 2 of the Municipal Act,—

(a) clause (1) shall be omitted;

(b) after clause (27), the following clause shall be inserted, namely:—

‘(27a) “Other Backward Classes” means the Other Backward Classes declared by the Government of the Union territory of Jammu and Kashmir from time to time in accordance with sub-clause (iii) of clause (o) of section 2 of the Jammu and Kashmir Reservation Act, 2004,’;

(c) after clause (29b), the following clause shall be inserted, namely:—

‘(29bb) “State Election Commission” means the Commission constituted under section 36 of the Jammu and Kashmir Panchayati Raj Act, 1989,’.

Jammu and
Kashmir Act
XIV of 2004.

Amendment of
section 11A.

13. In section 11A of the Municipal Act,—

(a) in sub-section (1), for the words “the Scheduled Castes and the Scheduled Tribes”, the words “the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes” shall be substituted;

(b) in sub-section (2), for the words “the Scheduled Castes or the Scheduled Tribes”, the words “the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes” shall be substituted;

(c) in sub-section (3), for the words “the Scheduled Castes and the Scheduled Tribes”, the words “the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes” shall be substituted;

Jammu and
Kashmir Act
IX of 1989.

(d) in sub-section (3A), for the words “Scheduled Caste or Scheduled Tribe Certificate”, the words “Scheduled Caste or Scheduled Tribe or Other Backward Class Certificate” shall be substituted; and;

(e) for sub-section (4), the following sub-section shall be substituted, namely,—

“(4) The State Election Commissioner shall be the competent authority for the purposes of this section.”.

14. In section 282 of the Municipal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

Amendment of
section 282.

“(2) The Commission referred to in sub-section (1) shall—

(i) require any person, including an officer or an employee of the Government of the Union territory of Jammu and Kashmir, subject to any privilege which may be claimed by that person under any law for the time being in force in the Union territory of Jammu and Kashmir, to furnish information on any matter which, in the opinion of the Commission, may be useful for or relevant to the subject of enquiry;

(ii) by order, give such directions to the officers and employees of the Government of the Union territory of Jammu and Kashmir, or any other statutory body or society as it considers necessary to ensure smooth and efficient conduct of elections under this Act;

(iii) by order, delegate, subject to such restrictions mentioned therein, any of its powers to such officers and employees of the Government of the Union territory of Jammu and Kashmir;

(iv) determine and delimit the municipalities in accordance with the provisions of this Act;

(v) regulate its own procedure, including the fixing of time and place of its sittings; and

(vi) exercise such other powers as may be determined by the Government of the Union territory of Jammu and Kashmir, from time to time.”.

15. After section 282 of the Municipal Act, the following section shall be inserted, namely:—

Insertion of new
section 282A.

“282A. Sections 36, 36A, 36B, 36C, 37 and section 39 of the Panchayati Raj Act [as amended by the Jammu and Kashmir Local Bodies Laws (Amendment) Act, 2024] shall, *mutatis mutandis*, apply to this Act.”.

Application of
certain
provisions of
Jammu and
Kashmir
Panchayati Raj
Act. 1989.

CHAPTER IV

AMENDMENTS TO THE JAMMU AND KASHMIR MUNICIPAL CORPORATION ACT, 2000

Jammu and
Kashmir Act
XXI of 2000.

16. Throughout the Jammu and Kashmir Municipal Corporation Act, 2000 (hereafter in this Chapter referred to as the Municipal Corporation Act) for the words “Chief Electoral Officer” and “Backward Classes”, wherever they occur, the words “State Election Commission” and “Other Backward Classes” shall respectively be substituted.

Construction of
reference of
certain
expressions by
certain other
expressions.

17. In section 2 of the Municipal Corporation Act,—

Amendment of
section 2.

(a) clause (1) shall be omitted;

(b) clause (6) shall be omitted;

(c) after clause (37), the following clause shall be inserted, namely:—

'(37a) "Other Backward Classes" means the Other Backward Classes declared by the Government of the Union territory of Jammu and Kashmir from time to time in accordance with sub-clause (iii) of clause (o) of section 2 of the Jammu and Kashmir Reservation Act, 2004;';

(d) after clause (59), the following clause shall be inserted, namely:—

'(59a) "State Election Commission" means the Commission constituted under section 36 of the Jammu and Kashmir Panchayati Raj Act, 1989.'.

Insertion of new section 9A.

Application of certain provisions of Jammu and Kashmir Panchayati Raj Act, 1989 and Jammu and Kashmir Municipal Act, 2000.

Amendment of section 10A.

Jammu and Kashmir Act XIV of 2004.

Jammu and Kashmir Act IX of 1989.

18. After section 9 of the Municipal Corporation Act, the following section shall be inserted, namely:—

"9A. Sections 36, 36A, 36B, 36C, 37 and section 39 of the Panchayati Raj Act and sub-section (2) of section 282 of the Municipal Act [as amended by the Jammu and Kashmir Local Bodies Laws (Amendment) Act, 2024] shall, *mutatis mutandis*, apply to this Act.".

19. In section 10A of the Municipal Corporation Act,—

(a) in sub-section (1), for the words "the Scheduled Castes and the Scheduled Tribes", the words "the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes" shall be substituted;

(b) in sub-section (2), for the words "the Scheduled Castes or the Scheduled Tribes", the words "the Scheduled Castes or the Scheduled Tribes or the Other Backward Classes" shall be substituted;

(c) in sub-section (3), for the words "the Scheduled Castes and the Scheduled Tribes", the words "the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes" shall be substituted;

(d) in sub-section (3A), for the words "Scheduled Caste or Scheduled Tribe Certificate", the words "Scheduled Caste or Scheduled Tribe or Other Backward Class Certificate" shall be substituted; and

(e) for sub-section (4), the following sub-section shall be substituted, namely:—

"(4) The State Election Commissioner shall be the competent authority for the purpose of this section.".

DR. RAJIV MANI,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

MGIPMRND—677GI(S3)—12-02-2024.

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ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-28

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಷಣೆ 07 ಕೇಶಾವ್ 2024 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 12.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಂಟೊನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED TRIBES ORDER (AMENDMENT) ACT, 2024 (NO.3 OF 2024) ಅನ್ನ ಸಾರ್ವಜನಿಕ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ:-



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-आ.-१२०२२०२४-२५२०००
CG-DL-E-12022024-252000

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं ३]

नई दिल्ली, सोमवार, फरवरी १२, २०२४/ माघ २३, १९४५ (शक)

No. 3]

NEW DELHI, MONDAY, FEBRUARY 12, 2023/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED TRIBES ORDER (AMENDMENT) ACT, 2024

No. 3 OF 2024

[12th February, 2024.]

An Act further to amend the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Jammu and Kashmir) Scheduled Tribes Order (Amendment) Act, 2024. Short title.

2. In the Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989, for the Schedule, the following Schedule shall be substituted, namely:—

Substitution of Schedule to Constitution (Jammu and Kashmir) Scheduled Tribes Order, 1989.

C.O. 142.

"THE SCHEDULE

PART I.—Union territory of Jammu and Kashmir

1. Bakarwal
2. Balti
3. Beda
4. Bot, Boto
5. Brokpa, Drokpa, Dard, Shin
6. Changpa
7. Gadda Brahmin
8. Gaddi
9. Garra
10. Gujjar
11. Koli
12. Mon
13. Paddari Tribe
14. Pahari Ethnic Group
15. Purigpa
16. Sippi.

PART II.—Union territory of Ladakh

1. Bakarwal
2. Balti
3. Beda
4. Bot, Boto
5. Brokpa, Drokpa, Dard, Shin
6. Changpa
7. Gaddi
8. Garra
9. Gujjar
10. Mon
11. Purigpa
12. Sippi."

DR. RAJIV MANI,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

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ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-29

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜಿ 08 ಕೇಶಾವ್ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06 .03.2024.

ದಿನಾಂಕ: 12.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ಲಿಂಗೇಷನ್ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟಿಸಾದ THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED CASTES ORDER (AMENDMENT) ACT, 2024 (NO.4 OF 2024) ಅನ್ನ ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ:-



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-आ.-12022024-252003
CG-DL-E-12022024-252003

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 4]

नई दिल्ली, सोमवार, फरवरी 12, 2024/ माघ 23, 1945 (शक)

No. 4]

NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पुष्ट संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED CASTES ORDER (AMENDMENT) ACT, 2024

(No. 4 of 2024)

[12th February, 2024.]

An Act further to amend the Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956.

Be it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

- This Act may be called the Constitution (Jammu and Kashmir) Scheduled Castes Order (Amendment) Act, 2024.

Amendment of
Constitution
(Jammu and
Kashmir)
Scheduled
Castes Order,
1956.

2. In the Schedule to the Constitution (Jammu and Kashmir) Scheduled Castes Order, C.O. 52, 1956, for entry 5, the following entry shall be substituted, namely:—

“5. Valmiki (in the Union territory of Jammu and Kashmir only), Chura, Bhangi,
Balmiki, Mehtar”.

DR. RAJIV MANI,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

MGIPMRND—679GI(S3)—12-02-2024.

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 (ಡಿ.ಬಿ. ಜನಾರ್ಥನ)
 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
 ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-30

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂಪೂರ್ಣಾಂಶ 09 ಕೇಶಾಪ್ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 15.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟಿಸಾದ THE WATER (PREVENTION AND CONTROL OF POLLUTION) AMENDMENT ACT, 2024 (NO.5 OF 2024) ಮತ್ತು ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 20.02.2024ರ ಭಾರತ ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ CORRIGENDUM ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र

The Gazette of India

सो.जी.-डॉ.एल.-अ.-16022024-252144
CG-DL-E-16022024-252144

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 5] नई दिल्ली, बृहस्पतिवार, फरवरी 15, 2024/माघ 26, 1945 (शक)
No. 5] NEW DELHI, THURSDAY, FEBRUARY 15, 2024/MAGHA 26, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th February, 2024/Magha 26, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th February, 2024 and is hereby published for general information:—

THE WATER (PREVENTION AND CONTROL OF POLLUTION) AMENDMENT ACT, 2024

No. 5 OF 2024

[15th February, 2024.]

An Act further to amend the Water (Prevention and Control of Pollution) Act, 1974.

6 of 1974

WHEREAS in pursuance of clause (1) of article 252 of the Constitution, the Water (Prevention and Control of Pollution) Act, 1974 had been passed by Parliament;

AND WHEREAS it is considered necessary to make certain amendments thereto for decriminalising and rationalising minor offences to further enhance trust-based governance for ease of living and doing business;

AND WHEREAS in pursuance of clause (1) of article 252 of the Constitution read with clause (2) thereof, resolutions have been passed by the Legislative Assemblies of the States of Himachal Pradesh and Rajasthan to the effect that the said Act should be amended by an Act of Parliament for the purposes hereinafter appearing.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. (1) This Act may be called the Water (Prevention and Control of Pollution) Amendment Act, 2024.

Short title application and commencement.

(2) It applies, in the first instance, to the whole of the States of Himachal Pradesh and Rajasthan and the Union territories; and it shall apply to such other State which adopts this Act by resolution passed in that behalf under clause (1) of article 252 of the Constitution read with clause (2) thereof.

(3) It shall come into force, at once in the States of Himachal Pradesh and Rajasthan and the Union territories, and in any other State which adopts this Act under clause (1) of article 252 of the Constitution read with clause (2) thereof on the date of such adoption.

Amendment of section 4.

2. In section 4 of the Water (Prevention and Control of Pollution) Act, 1974 (hereinafter referred to as the principal Act), in sub-section (2), in clause (a), after the words “State Government”, the words “in such manner as may be prescribed by the Central Government” shall be inserted.

6 of 1974.

Amendment of section 5.

3. In section 5 of the principal Act, in sub-section (9), after the word “prescribed”, the words “by the Central Government” shall be inserted.

Amendment of section 25.

4. In section 25 of the principal Act, in sub-section (1), for the proviso, the following proviso shall be substituted, namely:—

“Provided that the Central Government may in consultation with the Central Board, by notification in the Official Gazette, exempt certain categories of industrial plants from the provisions of this sub-section.”.

Insertion of new section 27A.

5. After section 27 of the principal Act, the following section shall be inserted, namely:—

Power to issue guidelines.

“27A. (1) Notwithstanding anything in this Act, the Central Government in consultation with the Central Board, may, by notification in the Official Gazette, issue guidelines on the matters relating to the grant, refusal or cancellation of consent by any State Board for establishment of any industry, operation or process, or treatment and disposal system or to bringing into use of a new or altered outlet including the mechanism for time-bound disposal of the application made under section 25 or period of validity of such consent.

(2) Every State Board, in discharge of its functions for the purposes of grant, refusal or cancellation of consent under section 25 or section 27 shall act in accordance with the guidelines issued under sub-section (1).”.

Substitution of new sections 41 and 41A for section 41.

6. For section 41 of the principal Act, the following sections shall be substituted, namely:—

Failure to comply with provisions of section 20 or directions issued thereunder.

“41. (1) Whoever contravenes or does not comply with the directions given under sub-section (2) or sub-section (3) of section 20, within such time as may be specified in the direction, shall, in respect of each such contravention or non-compliance, be liable to pay a penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.

41A. (1) Whoever contravenes or does not comply with any order or direction issued under clause (c) of sub-section (1) of section 32 or any direction issued by a court under sub-section (2) of section 33 or any direction issued under section 33A, shall, in respect of each such contravention or non-compliance, be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.

Failure to comply with provisions of section 32, or directions issued under section 33 or section 33A.

(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.”.

7. In section 42 of the principal Act,—

(a) in sub-section (1), for the long line, the following long line shall be substituted, namely:—

“shall be liable to pay penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.”;

(b) for sub-section (2), the following sub-section shall be substituted, namely:—

“(2) Where any person continues contravention or non-compliance under sub-section (1), he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.”.

8. For sections 43 and 44 of the principal Act, the following sections shall be substituted, namely:—

“43. Whoever contravenes the provisions of section 24, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees and where such contravention continues, he shall be liable to pay an additional penalty of ten thousand rupees every day during which such contravention continues.

Substitution of new sections for sections 43 and 44.

Penalty for contravention of provisions of section 24.

44. Where for the purpose of grant of a consent in pursuance of the provisions of section 25 or section 26, the use of a meter or gauge or other measure or monitoring device is required and such device is used for the purposes of those provisions, any person who knowingly or wilfully alters or interferes with that device so as to prevent it from monitoring or measuring correctly shall be liable to pay penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees.”.

Penalty for contravention of section 25 or section 26.

9. Section 45 of the principal Act shall be omitted.

Omission of section 45.

10. For section 45A of the principal Act, the following sections shall be substituted, namely:—

Substitution of new sections 45A to 45E for section 45A.

‘45A. If any person contravenes any of the provisions of this Act or any order or direction issued thereunder, for which no penalty has been provided for in this Act, shall be liable to pay the penalty which shall not be less than ten thousand rupees, but which may extend to fifteen lakh rupees, and where such contravention continues, he shall be liable to pay an additional penalty which may extend to ten thousand rupees for every day during which such contravention continues.

Penalty for contravention of certain provisions of Act.

45B. (1) The Central Government, for the purposes of determining the penalties under the provisions of this Act shall appoint an officer not below the rank of Joint Secretary to the Government of India or a Secretary to the

Adjudicating officer.

State Government to be the adjudicating officer, to hold an inquiry and to impose the penalty in the manner, as may be prescribed:

Provided that the Central Government may appoint as many adjudicating officers as may be required.

(2) The adjudicating officer may summon and enforce the attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the adjudicating officer, may be useful for or relevant to the subject-matter of the inquiry and if, on such inquiry, he is satisfied that the person concerned has contravened the provisions of this Act, he may determine such penalty as he thinks fit under the provisions of this Act:

Provided that no such penalty shall be imposed without giving the person concerned an opportunity of being heard in the matter.

(3) The amount of penalty imposed under the provisions of sections 41, 41A, 42, 43, 44, 45A and 48, shall be in addition to the liability to pay relief or compensation under section 15 read with section 17 of the National Green Tribunal Act, 2010.

19 of 2010.

Appeal.

45C. (1) Any person aggrieved by the order passed by the adjudicating officer under section 45B may prefer an appeal to the National Green Tribunal established under section 3 of the National Green Tribunal Act, 2010.

19 of 2010.

(2) Every appeal under sub-section (1) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person.

(3) The National Green Tribunal may, after giving the parties to the appeal an opportunity of being heard, pass such order as it thinks fit, confirming, modifying or setting aside the order appealed against.

(4) Where an appeal is preferred against any order of the adjudicating officer under sub-section (1), such appeal shall not be entertained by the Tribunal unless such person has deposited with the Tribunal ten per cent. of the amount of the penalty imposed by the adjudicating officer.

Penalty amount
to be credited to
Environmental
Protection Fund.

45D. Where an adjudicating officer imposes penalty or additional penalty, as the case may be, under the provisions of this Act, the amount of such penalty shall be credited to the Environmental Protection Fund established under section 16 of the Environment (Protection) Act, 1986.

29 of 1986.

Offences for
failure to
comply with
provisions of
section 25 or 26
and for failure
to pay penalty.

45E. (1) Whoever fails to comply with the provisions of section 25 or section 26, in respect of each such failure, shall be punishable with imprisonment for a term which shall not be less than one year and six months but which may extend to six years and with fine, and in case the failure continues, with an additional fine which may extend to fifty thousand rupees for every day during which such failure continues after the conviction for the first such failure.

(2) If the failure referred to in sub-section (1) continues beyond a period of one year after the date of conviction, the offender shall be punishable with imprisonment for a term which shall not be less than two years but which may extend to seven years and with fine.

(3) Where any person fails to pay the penalty or the additional penalty, as the case may be, imposed under the provisions of this Act within ninety days of such imposition, he shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to twice the amount of the penalty or additional penalty so imposed or with both.

(4) Where any offence under sub-section (1) or sub-section (2) or sub-section (3) has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of such offence and he shall be liable to be proceeded against and punished accordingly:

Provided that nothing in this sub-section shall render any such person liable to any punishment provided in sub-section (1) or sub-section (2) or sub-section (3), if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(5) Notwithstanding anything in sub-section (4), where an offence has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also have deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation.—For the purposes of this section,—

(a) “company” includes body corporate, firm, trust, society and any other association of individuals;

(b) “director”, includes director of the company, partner of the firm, members of the society or trust or member of any association of individuals, as the case may be.’

11. Section 47 of the principal Act shall be omitted.

12. For section 48 of the principal Act, the following section shall be substituted, namely:—

“48. (1) Where contravention of any provision of this Act has been committed by any Department of the Central Government or State Government, the Head of the Department shall be liable to pay the penalty equal to one month of his basic salary:

Provided that such Head of the Department shall not be liable for such contravention, if he proves that the contravention was committed without his knowledge or instructions or that he exercised all due diligence to prevent such contravention.

(2) Where any contravention under sub-section (1) is attributable to any neglect on the part of, any officer, other than the Head of the Department, such officer shall be liable to pay the penalty equal to one month of his basic salary:

Provided that such officer shall not be liable for the contravention, if he proves that he exercised all due diligence to avoid such contravention.”.

13. In section 49 of the principal Act, in sub-section (1), after clause (a), the following clause shall be inserted, namely:—

“(aa) the adjudicating officer or any officer authorised by him in this behalf; or”.

Omission of
section 47.

Substitution of
new section for
section 48.

Penalty for
contravention
by Government
Department.

Amendment of
section 49.

Amendment of
section 63.

14. In section 63 of the principal Act, in sub-section (2),—

(i) after clause (a), the following clause shall be inserted, namely:—

“(aa) the manner of nomination of the chairman of the State Board and the terms and conditions of service of the chairman of the State Board under clause (a) of sub-section (2) of section 4 and under sub-section (9) of section 5;”;

(ii) after clause (m), the following clause shall be inserted, namely:—

“(ma) the manner of holding inquiry and imposing penalties by the adjudicating officer under section 45B;”.

Amendment of
section 64.

15. In section 64 of the principal Act, in sub-section (2), in clause (e), for the words, brackets and figures “the chairman and the member-secretary of the State Board under sub-section (9) of section 5 and”, the words “the member-secretary of the State Board” shall be substituted.

DR. RAJIV MANI,
Secretary to the Govt. of India.



भारत का राजपत्र

The Gazette of India

सी.जी. -डी.एल. -अ. -20022024-252252
CG-DL-E-20022024-252252

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 14] नई दिल्ली, मंगलवार, फरवरी 20, 2024/ फाल्गुन 1, 1945 (शक)
No. 14] NEW DELHI, TUESDAY, FEBRUARY 20, 2024/PHALGUNA 1, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 20th February, 2024/ Phalguna 1, 1945 (Saka)

CORRIGENDUM

The Water (Prevention and Control of Pollution) Amendment Act, 2024 (5 of 2024), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 15th February, 2024, Issue No. 5, in page 5, line 18, *for “have deemed”, read “be deemed”.*

DR. RAJIV MANI,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-31

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜ 10 ಕೇಶಾಪ್ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 15.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ಲಿಂಗೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED TRIBES) ORDERS (AMENDMENT) ACT, 2024 (NO.6 OF 2024) ಮತ್ತು ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 20.02.2024ರ ಭಾರತ ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ CORRIGENDUM ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र

The Gazette of India

सो.जी.-डॉ.एल.-अ.-16022024-252145
CG-DL-E-16022024-252145

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 6] नई दिल्ली, बृहस्पतिवार, फरवरी 15, 2024/माघ 26, 1945 (शक)
No. 6] NEW DELHI, THURSDAY, FEBRUARY 15, 2024/MAGHA 26, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th February, 2024/Magha 26, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th February, 2024 and is hereby published for general information:—

THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED TRIBES) ORDERS (AMENDMENT) ACT, 2024

No. 6 OF 2024

[15th February, 2024.]

An Act further to amend the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Castes and Scheduled Tribes in relation to the State of Odisha.

Be it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2024. Short title.

C.O. 19.

2. In this Act, unless the context otherwise requires,—

Definitions.

(a) "Scheduled Castes Order" means the Constitution (Scheduled Castes) Order, 1950;

C.O. 22.

(b) "Scheduled Tribes Order" means the Constitution (Scheduled Tribes) Order, 1950.

Amendment of
Scheduled
Castes Order.

3. The Scheduled Castes Order is hereby amended in the manner and to the extent specified in the First Schedule.

Amendment of
Scheduled
Tribes Order.

4. The Scheduled Tribes Order is hereby amended in the manner and to the extent specified in the Second Schedule.

THE FIRST SCHEDULE

(See section 3)

C.O. 19.

In the Constitution (Scheduled Castes) Order, 1950, in the Schedule, in PART XIII.—*Odisha*, entries 87 and 88 shall be omitted.

THE SECOND SCHEDULE

(See section 4)

C.O. 22. In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, in PART XII.—Orissa,—

(a) for “PART XII.—Orissa”, the following shall be substituted, namely:—

“PART XII.-Odisha”;

(b) for entry 6, the following entry shall be substituted, namely:—

“6. Bhuiya, Bhuyan, Pauri Bhuyan, Paudi Bhuyan”;

(c) in entry 8, after “Tamaria Bhumij”, the following shall be inserted, namely:—

“, Tamodia Bhumij, Tamudia Bhumij, Tamundia Bhumij, Tamulia Bhumij, Tamadia Bhumij, Tamadia, Tamaria, Tamudia”;

(d) for entry 9, the following entry shall be substituted, namely:—

“9. Bhunjia, Chuktia Bhunjia”;

(e) in entry 13, after “Banda Paroja”, the following shall be inserted, namely:—

“, Banda Paraja, Bonda Paraja, Bondo, Bonda, Banda”;

(f) for entry 17, the following entry shall be substituted, namely:—

“17. Dharua, Dhuruba, Dhurva, Durua, Dhurua, Dhurava”;

(g) in entry 28, after “Kanwar”, the following shall be inserted, namely:—

“, Kaur, Kunwar, Kaonr, Kuanr, Konwar, Kuanar, Kaanr, Koanr, Kuanwar”;

(h) for entry 31, the following entry shall be substituted, namely:—

“31. Khond, Kond, Kandha, Kandha Kumbhar, Nanguli Kandha, Sitha Kandha, Kondh, Kui, Kui (Kandha), Buda Kondh, Bura Kandha, Desia Kandha, Dungaria Kondh, Kutia Kandha, Kandha Gauda, Muli Kondh, Malua Kondh, Pengo Kandha, Raja Kondh, Raj Khond”;

(i) in entry 47, after “Mankidi”, the following shall be inserted, namely:—

“, Mankidia”;

(j) in entry 53, after “Uran”, the following shall be inserted, namely:—

“, Uram, Oram, Uraon, Dhangara, Oraon Mudi”;

(k) in entry 55, after “Solia Paroja”, the following shall be inserted, namely:—

“, Bareng Jhodia Paroja, Penga Paroja, Pengu Paroja, Porja, Selia Paroja”;

(l) in entry 57, after “Rajuar”, the following shall be inserted, namely:—

“, Rajual, Rajuad”;

(m) in entry 59, after “VesuSaora”, the following shall be inserted, namely:—

“, Saara”;

(n) after entry 62, the following entries shall be inserted, namely:—

“63. Muka Dora, Mooka Dora, Nuka Dora, Nooka Dora (in undivided Koraput district which includes Koraput, Nowrangapur, Rayagada and Malkangiri districts)

64. Konda Reddy, Konda Reddi”.

DR. RAJIV MANI,
Secretary to the Govt. of India.



भारत का राजपत्र

The Gazette of India

सो.जी.-डी.एल.-अ.-२०२२०२४-२५२२५१
CG-DL-E-2022024-252251

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 13] नई दिल्ली, मंगलवार, फरवरी 20, 2024/ फाल्गुन 1, 1945 (शक)
No. 13] NEW DELHI, TUESDAY, FEBRUARY 20, 2024/ PHALGUNA 1, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 20th February, 2024/ Phalguna 1, 1945 (Saka)

CORRIGENDUM

The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2024 (6 of 2024), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 15th February, 2024, Issue No. 6, in page 5, line 1, for “VesuSaora”, read “Vesu Saora”.

DR. RAJIV MANI,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-32

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಷ್ಟ 11 ಕೇಂದ್ರಾಪ್ಯ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06 .03.2024.

ದಿನಾಂಕ: 15.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) ACT, 2024 (NO.7 OF 2024) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-आ.-१६०२२०२४-२५२१४
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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं ७] नई दिल्ली, बृहस्पतिवार, फरवरी १५, २०२४/ माघ २६, १९४५ (शक)
No. 7] NEW DELHI, THURSDAY, FEBRUARY 15, 2024/MAGHA 26, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th February, 2024/Magha 26, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th February, 2024 and is hereby published for general information:—

THE CONSTITUTION (SCHEDEDLED TRIBES) ORDER (AMENDMENT) ACT, 2024

No. 7 OF 2024

[15th February, 2024.]

An Act further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in relation to the State of Andhra Pradesh.

Be it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

1. This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2024. Short title.

Amendment of
Constitution
(Scheduled
Tribes) Order,
1950.

2. In the Constitution (Scheduled Tribes) Order, 1950, in the Schedule, in C.O. 22.
PART I.—*Andhra Pradesh*,—

(a) for entry 25, the following entry shall be substituted, namely:—

“25. Porja, Bondo Porja, Khond Porja, Parangiperja”;

(b) for entry 28, the following entry shall be substituted, namely:—

“28. Savaras, Kapu Savaras, Maliya Savaras, Konda Savaras,
Khutto Savaras”.

DR. RAJIV MANI,
Secretary to the Govt. of India.

UPLOADED BY THE MANAGER, GOVERNMENT OF INDIA PRESS, MINTO ROAD, NEW DELHI-110002
AND PUBLISHED BY THE CONTROLLER OF PUBLICATIONS, DELHI-110054.

MGIPMRND—743GI—15.02.2024.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪ್ರಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾಷಣೆ 12 ಕೇಶಾಪ್ 2024

ದಿನಾಂಕ: 06 .03.2024.

ದಿನಾಂಕ: 15.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ಲಿಂಗೇಷ್ ಸಂಚಿಕೆಯ
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟಿಸಾದ THE FINANCE ACT, 2024 (NO.8 OF 2024) ಅನ್ನ
ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र

The Gazette of India

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 8] नई दिल्ली, बृहस्पतिवार, फरवरी 15, 2024/माघ 26, 1945 (शक)
No. 8] NEW DELHI, THURSDAY, FEBRUARY 15, 2024/MAGHA 26, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 15th February, 2024/Magha 26, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 15th February, 2024 and is hereby published for general information:—

THE FINANCE ACT, 2024

No. 8 OF 2024

[15th February, 2024.]

An Act to continue the existing rates of income-tax for the financial year 2024-2025 and to provide for certain relief to taxpayers and to make amendments in certain enactments.

BE it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. (1) This Act may be called the Finance Act, 2024.

Short title and commencement.

(2) Save as otherwise provided in this Act,—

(a) sections 2 to 10 shall come into force on the 1st day of April, 2024;

(b) sections 11 to 13 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

CHAPTER II

RATES OF INCOME-TAX

Income-tax.

2. The provisions of section 2 of, and the First Schedule to, the Finance Act, 2023, shall apply in relation to income-tax for the assessment year or, as the case may be, the financial year commencing on the 1st day of April, 2024, as they apply in relation to income-tax for the assessment year or, as the case may be, the financial year commencing on the 1st day of April, 2023, with the following modifications, namely:—

8 of 2023.

(a) in section 2,—

(i) in sub-section (1), for the figures “2023”, the figures “2024” shall be substituted;

(ii) for sub-section (2), the following sub-section shall be substituted, namely:—

‘(2) In the cases to which Paragraph A of Part I of the First Schedule applies, or in the cases where income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act), and where the assessee has, in the previous year, any net agricultural income exceeding five thousand rupees, in addition to total income, and the total income exceeds two lakh fifty thousand rupees, then,—

43 of 1961.

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first two lakh fifty thousand rupees of the total income but without being liable to tax), only for the purpose of charging income-tax in respect of the total income; and

(b) the income-tax chargeable shall be computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A or sub-section (1A) of section 115BAC, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of two lakh fifty thousand rupees, and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A or sub-section (1A) of section 115BAC, as if the net agricultural income as so increased were the total income;

(iii) the amount of income-tax determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax in respect of the total income:

Provided that in the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year, referred to in item (II) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words “two lakh fifty thousand rupees”, the words “three lakh rupees” had been substituted:

Provided further that in the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "five lakh rupees" had been substituted:

Provided also that in the cases where income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted.;

(iii) for sub-section (3), the following sub-section shall be substituted, namely:—

"(3) In cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act apply, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (1) or the rates as specified in that Chapter or section, as the case may be:

Provided that the amount of income-tax computed in accordance with the provisions of section 111A or section 112 or section 112A of the Income-tax Act shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A, B, C, D or E, as the case may be, of Part I of the First Schedule, except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act or in case of an individual or Hindu undivided family or association of persons, or body of individuals, whether incorporated or not, or an artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act whose income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, or in case of co-operative society resident in India, whose income is chargeable to tax under section 115BAD or under section 115BAE of the Income-tax Act:

Provided further that in respect of any income chargeable to tax under section 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BA, 115BB, 115BBA, 115BBC, 115BBF, 115BBG, 115BBH, 115BBI, 115BBJ, 115E, 115JB or 115JC of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated,—

(a) in the case of every individual or Hindu undivided family or association of persons except in a case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not having any income under section 115AD of the Income-tax Act, and not having any income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income exceeding two crore rupees, but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax; and

(iv) having a total income exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax;

(b) in the case of every individual or association of persons, except in a case of an association of persons consisting of only companies as its members or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (3I) of section 2 of the Income-tax Act, having income under section 115AD of the Income-tax Act, and not having any income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(iv) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(v) having a total income [including the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees, but is not covered in sub-clauses (iii) and (iv), at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the income-tax calculated on that part of income shall not exceed fifteen per cent.:

Provided further that where the total income of a person, being a specified fund referred to in clause (c) of the *Explanation* to clause (4D) of section 10 of the Income-tax Act, includes any income under clause (a) of sub-section (1) of section 115AD

of the Income-tax Act, the income-tax calculated on that part of income shall not be increased by any surcharge;

(c) in the case of an association of persons consisting of only companies as its members,—

(i) at the rate of ten per cent. of such income-tax, where the total income exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such income-tax, where the total income exceeds one crore rupees;

(d) in the case of every co-operative society except a co-operative society whose income is chargeable to tax under section 115BAD or section 115BAE of the Income-tax Act,—

(i) at the rate of seven per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such income-tax, where the total income exceeds ten crore rupees;

(e) in the case of every firm or local authority, at the rate of twelve per cent. of such income-tax, where the total income exceeds one crore rupees;

(f) in the case of every domestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,—

(i) at the rate of seven per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such income-tax, where the total income exceeds ten crore rupees;

(g) in the case of every company, other than a domestic company,—

(i) at the rate of two per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such income-tax, where the total income exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (a) and (b) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(iii) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(iv) five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees:

Provided also that in the case of association of persons mentioned in (c) above, having total income chargeable to tax under section 115JC of the Income-tax Act exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of a co-operative society mentioned in (d) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(i) one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(ii) ten crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (e) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (1) of section 115BBE of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such income-tax:

Provided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such income-tax:

Provided also that in respect of income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated, in the case of an individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income tax Act,—

(i) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, at the rate of twenty-five per cent. of such income-tax; and

(iv) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, but is not covered under clause (iii) above, at the rate of fifteen per cent. of such income-tax:

Provided also that in case where the provisions of sub-section (1A) of section 115BAC are applicable and the total income includes any income by way of dividend or income chargeable under section 111A, section 112 and section 112A of the Income-tax Act, the rate of surcharge on the income-tax in respect of that part of income shall not exceed fifteen per cent.:

Provided also that in the case of a specified fund, referred to in clause (c) of the *Explanation* to clause (4D) of section 10 of the Income-tax Act, whose income is chargeable to tax under sub-section (1A)

of section 115BAC and where such income includes any income under clause (a) of sub-section (1) of section 115AD of the Income-tax Act, the income-tax computed on that part of income shall not be increased by any surcharge:

Provided also that in case of an association of persons consisting of only companies as its members, and having its income chargeable to tax under sub-section (1A) of section 115BAC, the rate of surcharge on the income-tax shall not exceed fifteen per cent.:

Provided also that in case of every individual or Hindu undivided family or association of persons, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vi) of clause (31) of section 2 of the Income-tax Act, having total income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, and such income exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(iii) two crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees:

Provided also that in case of every co-operative society resident in India, whose income is chargeable to tax under section 115BAD or section 115BAE of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such income-tax.”;

(iv) in sub-section (9),—

(A) in the second proviso, for the words “resident co-operative society”, the words “co-operative society resident in India” shall be substituted;

(B) in the fourth proviso, clauses (a) to (d) shall be renumbered as clauses (i) to (iv) thereof;

(C) in the fifth proviso,—

(I) in the opening portion, after the words “in the case of”, the words “association of” shall be inserted;

(II) clauses (a) and (b) shall be renumbered as clauses (i) and (ii) thereof;

(D) in the sixth proviso,—

(I) in the opening portion, for the word “persons”, the words “a co-operative society” shall be substituted;

(II) clauses (a) and (b) shall be renumbered as clauses (i) and (ii) thereof;

(E) in the sixteenth proviso,—

(I) in the opening portion, after the words “chargeable to tax under”, the words, brackets, figure and letter “sub-section (1A) of” shall be inserted;

(II) clauses (a) to (c) shall be renumbered as clauses (i) to (iii) thereof;

(F) in the seventeenth proviso, for the words “resident co-operative society”, the words “co-operative society resident in India” shall be substituted;

(v) in sub-section (10),—

(A) in the opening portion, for the portion beginning with the words “or in case” and ending with the word “whose”, the words “or in cases where” shall be substituted;

(B) in the third proviso, for the portion beginning with the words “in the case” and ending with the word “whose”, the words “in the cases where” shall be substituted;

(vi) in sub-section (13), in clause (a), for the figures “2023”, the figures “2024” shall be substituted;

(b) in the First Schedule,—

(i) for Part I and Part II, the following Parts shall be substituted, namely:—

‘PART I

INCOME-TAX

Paragraph A

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

Rates of income-tax

(1) where the total income does not Nil;
exceed Rs. 2,50,000

(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000 5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;

(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 Rs.12,500 plus 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;

(4) where the total income exceeds Rs. 10,00,000 Rs. 1,12,500 plus 30 per cent. of the amount by which the total income exceeds Rs.10,00,000.

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

Rates of income-tax

(I) where the total income does not exceed Rs. 3,00,000	<i>Nil;</i>
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs.10,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs.10,00,000.

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

Rates of income-tax

(I) where the total income does not exceed Rs. 5,00,000	<i>Nil;</i>
(2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(3) where the total income exceeds Rs. 10,00,000	Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall be increased by a surcharge for the purposes of the Union, calculated, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act,—

(a) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(b) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(c) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(d) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(e) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees but is not covered under clauses (c) and (d), at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act, the rate of surcharge on the amount of income-tax computed in respect of that part of income shall not exceed fifteen per cent.:

Provided further that in case of an association of persons consisting of only companies as its members, the rate of surcharge on the amount of income-tax shall not exceed fifteen per cent.:

Provided also that in the case of persons mentioned above having total income exceeding,—

(a) fifty lakh rupees but not exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees.

Paragraph B

In the case of every co-operative society,—

Rates of income-tax

(1) where the total income does not exceed Rs.10,000 10 per cent. of the total income;

(2) where the total income exceeds Rs.10,000 but does not exceed Rs. 20,000 Rs. 1,000 *plus* 20 per cent. of the amount by which the total income exceeds Rs.10,000;

(3) where the total income exceeds Rs. 20,000 Rs. 3,000 *plus* 30 per cent. of the amount by which the total income exceeds Rs. 20,000.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union, calculated in the case of every co-operative society,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax;

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax:

Provided that in the case of every co-operative society having total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every co-operative society having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

Paragraph C

In the case of every firm,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every firm, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every firm mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph D

In the case of every local authority,—

Rate of income-tax

On the whole of the total income 30 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act,

shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every local authority mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

Paragraph E

In the case of a company,—

Rates of income-tax

I. In the case of a domestic company,—

- (i) where its total turnover or the gross receipt in the previous year 2021-22 does not exceed four hundred crore rupees 25 per cent. of the total income;
- (ii) other than that referred to in item (i) 30 per cent. of the total income.

II. In the case of a company other than a domestic company,—

(i) on so much of the total income as consists of,—

(a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976; or

(b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976,

and where such agreement has, in either case, been approved by the Central Government

(ii) on the balance, if any, of the total income 40 per cent.

Surcharge on income-tax

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union calculated,—

(i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax;

(ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax:

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

PART II

RATES FOR DEDUCTION OF TAX AT SOURCE IN CERTAIN CASES

In every case in which under the provisions of sections 193, 194A, 194B, 194BA, 194BB, 194D, 194LBA, 194LBB, 194LBC and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to the deduction at the following rates:—

	Rate of income-tax
1. In the case of a person other than a company—	
(a) where the person is resident in India—	
(i) on income by way of interest	10 per cent.;
other than “Interest on securities”	
(ii) on income by way of winnings	30 per cent.;
from lotteries, puzzles, card games and other games of any sort (other than winnings from online games)	
(iii) on income by way of winnings	30 per cent.;
from horse races	
(iv) on income by way of net	30 per cent.;
winnings from online games	

(v) on income by way of insurance 5 per cent.;
commission

(vi) on income by way of interest 10 per cent.;
payable on—

(A) any debentures or securities
for money issued by or on behalf of
any local authority or a corporation
established by a Central, State or
Provincial Act;

(B) any debentures issued by a
company where such debentures are
listed on a recognised stock
exchange in India in accordance
with the Securities Contracts
(Regulation) Act, 1956 (42 of 1956)
and the rules made thereunder;

(C) any security of the Central
or State Government;

(vii) on any other income 10 per cent.;

(b) where the person is not resident in
India—

(i) in the case of a non-resident
Indian—

(A) on any investment income 20 per cent.;

(B) on income by way of 10 per cent.;
long-term capital gains referred to in
section 115E or sub-clause (iii) of
clause (c) of sub-section (1) of
section 112

(C) on income by way of 10 per cent.;
long-term capital gains referred to in
section 112A exceeding one lakh
rupees

(D) on income by way of other 20 per cent.;
long-term capital gains [not being
long-term capital gains referred to in
clauses (33) and (36) of section 10]

(E) on income by way of 15 per cent.;
short-term capital gains referred to
in section 111A

(F) on income by way of 20 per cent.;
interest payable by Government or
an Indian concern on moneys
borrowed or debt incurred by
Government or the Indian concern
in foreign currency (not being
income by way of interest referred
to in section 194LB or section 194LC)

(G) on income by way of royalty 20 per cent.; payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (IA) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (IA) of section 115A of the Income-tax Act, to a person resident in India

(H) on income by way of royalty [not 20 per cent.]; being royalty of the nature referred to in sub-item (b)(i)(G)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy

(I) on income by way of fees for 20 per cent.; technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy

(J) on income by way of winnings 30 per cent.; from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)

(K) on income by way of winnings 30 per cent.; from horse races

(L) on income by way of net 30 per cent.; winnings from online games

(M) on the income by way of 10 per cent.; dividend, referred to in the proviso to sub-clause (A) of clause (a) of sub-section (I) of section 115A

(N) on income by way of dividend other than the income referred to in sub-item (b)(i)(M)	20 per cent.;
(O) on the whole of the other income (ii) in the case of any other person—	30 per cent.;
(A) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(B) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (IA) of section 115A of the Income-tax Act, to the Indian concern, in respect of any computer software referred to in the second proviso to sub-section (IA) of section 115A of the Income-tax Act, to a person resident in India	20 per cent.;
(C) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(ii)(B)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(D) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(E) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;

<p>(F) on income by way of winnings from horse races</p> <p>(G) on income by way of net winnings from online games</p> <p>(H) on income by way of short-term capital gains referred to in section 111A</p> <p>(I) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (I) of section 112</p> <p>(J) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees</p> <p>(K) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]</p> <p>(L) on income by way of dividend, referred to in the proviso to sub-clause (A) of clause (a) of sub-section (I) of section 115A</p> <p>(M) on income by way of dividend other than the income referred to in sub-item (b)(ii)(L)</p> <p>(N) on the whole of the other income</p>	30 per cent.; 30 per cent.; 15 per cent.; 10 per cent.; 10 per cent.; 20 per cent.; 10 per cent.; 20 per cent.; 30 per cent.
2. In the case of a company—	
<p>(a) where the company is a domestic company—</p> <p>(i) on income by way of interest other than “Interest on securities”</p> <p>(ii) on income by way of winnings from lotteries, puzzles, card games and other games of any sort (other than winnings from online games)</p> <p>(iii) on income by way of winnings from horse races</p> <p>(iv) on income by way of net winnings from online games</p> <p>(v) on any other income</p>	10 per cent.; 30 per cent.; 30 per cent.; 30 per cent.; 10 per cent.;
<p>(b) where the company is not a domestic company—</p> <p>(i) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)</p> <p>(ii) on income by way of winnings from horse races</p> <p>(iii) on income by way of net winnings from online games</p>	30 per cent.; 30 per cent.; 30 per cent.

<p>(iv) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)</p> <p>(v) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1976 where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India</p> <p>(vi) on income by way of royalty [not being royalty of the nature referred to in item (b)(v)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—</p> <p>(A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976</p> <p>(B) where the agreement is made after the 31st day of March, 1976</p> <p>(vii) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—</p> <p>(A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976</p> <p>(B) where the agreement is made after the 31st day of March, 1976</p> <p>(viii) on income by way of short-term capital gains referred to in section 111A</p>	<p>20 per cent.;</p> <p>20 per cent.;</p> <p>50 per cent.;</p> <p>20 per cent.;</p> <p>50 per cent.;</p> <p>15 per cent.;</p>
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(ix) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (1) of section 112	10 per cent.;
(x) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;
(xi) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(xii) on income by way of dividend, referred to in the proviso to sub-clause (A) of clause (a) of sub-section (1) of section 115A	10 per cent.;
(xiii) on income by way of dividend other than the income referred to in item (b)(xii)	20 per cent.;
(xiv) on any other income	40 per cent.

*Explanation.—*For the purposes of item 1(b)(i) of this Part, “investment income” and “non-resident Indian” shall have the meanings respectively assigned to them in Chapter XII-A of the Income-tax Act.

Surcharge on income-tax

The amount of income-tax deducted in accordance with the provisions of—

(i) item 1 of this Part, shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, calculated,—

I. at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

II. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed two crore rupees;

III. at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees but does not exceed five crore rupees;

IV. at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds five crore rupees; and

V. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees, but is not covered under sub-clauses III and IV:

Provided that in case where the total income includes any income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act, the rate of surcharge on the amount of Income-tax deducted in respect of that part of income shall not exceed fifteen per cent.:

Provided further that where the income of such person is chargeable to tax under sub-section (IA) of section 115BAC of the Income-tax Act, the rate of surcharge shall not exceed twenty-five per cent.;

(b) in the case of every co-operative society, being a non-resident, calculated,—

I. at the rate of seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

II. at the rate of twelve per cent. where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees;

(c) in the case of an association of persons being a non-resident, and consisting of only companies as its members, calculated,—

I. at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

II. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(d) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent., where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(ii) item 2 of this Part shall be increased by a surcharge, for the purposes of the Union, in the case of every company other than a domestic company, calculated,—

(a) at the rate of two per cent. of such tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees; and

(b) at the rate of five per cent. of such tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees.';

(ii) in Part III, in Paragraph E, under the heading "Rates of income-tax", in clause (I), in sub-clause (i), for the figures "2021-2022", the figures "2022-2023" shall be substituted;

(iii) in Part IV, for Rule 8, the following Rule shall be substituted, namely:—

"Rule 8.—(I) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2024, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2016, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2022 or the 1st day of April, 2023,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2022, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2023,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2023,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2024.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2025, or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024, is a loss, then, for the purposes of sub-section (10) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2022 or the 1st day of April, 2023 or the 1st day of April, 2024,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2022, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2023 or the 1st day of April, 2024,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2023, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2024,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2024,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2025.

(3) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (1) or sub-rule (2) shall entitle any person, other than the person incurring the loss, to have it set off under sub-rule (1) or, as the case may be, sub-rule (2).

(4) Notwithstanding anything contained in this rule, no loss which has not been determined by the Assessing Officer under the provisions of these rules or the rules contained in the First Schedule to the Finance Act, 2016 (28 of 2016) or the First Schedule to the Finance Act, 2017 (7 of 2017) or the First Schedule to the Finance Act, 2018 (13 of 2018) or the First Schedule to the Finance (No. 2) Act, 2019 (23 of 2019) or the First Schedule to the Finance Act, 2020 (12 of 2020) or the First Schedule to the Finance Act, 2021 (13 of 2021) or the First Schedule to the Finance Act, 2022 (6 of 2022) or the First Schedule to the Finance Act, 2023 (8 of 2023) shall be set off under sub-rule (1) or, as the case may be, sub-rule (2).".

CHAPTER III

DIRECT TAXES

Income-tax

Amendment of
section 10.

3. In section 10 of the Income-tax Act,—

(a) in clause (4D), in the *Explanation*,—

(i) in clause (aa), for the figures “2024”, the figures “2025” shall be substituted;

(ii) in clause (c), in sub-clause (ii), in item (I), for the figures “2024”, the figures “2025” shall be substituted;

(b) in clause (4F), for the figures “2024”, the figures “2025” shall be substituted;

(c) in clause (23FE), in sub-clause (i), for the figures “2024”, the figures “2025” shall be substituted.

4. In section 80-IAC of the Income-tax Act, in the *Explanation*, in clause (*ii*), in sub-clause (*a*), for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 80-IAC.

5. In section 80LA of the Income-tax Act, in sub-section (2), in clause (*d*), for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 80LA.

6. In section 92CA of the Income-tax Act, in sub-section (9), in the proviso, for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 92CA.

7. In section 144C of the Income-tax Act, in sub-section (14C), in the proviso, for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 144C.

8. In section 206C of the Income-tax Act, in sub-section (1G),—

Amendment of
section 206C.

(*a*) in the long line, for the word “twenty”, the word “five” shall be substituted and shall be deemed to have been substituted with effect from the 1st day of July, 2023;

(*b*) in the first proviso, the words “and is for the purposes of education or medical treatment” shall be omitted and shall be deemed to have been omitted with effect from the 1st day of July, 2023;

(*c*) in the second proviso, with effect from the 1st day of October, 2023,—

(*i*) for the word “five”, the word “twenty” shall be substituted and shall be deemed to have been substituted;

(*ii*) for the words “is for the purposes of”, the words “is for purposes other than” shall be substituted and shall be deemed to have been substituted;

(*d*) after the third proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of October, 2023, namely:—

“Provided also that the seller of an overseas tour programme package shall collect a sum of twenty per cent. of the amount or aggregate of amounts in excess of seven lakh rupees received from the buyer in a financial year.”;

(*e*) after the fifth proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of July, 2023, namely:—

“Provided also that the sum to be collected under this sub-section on or after the 1st day of July, 2023 and before the 1st day of October, 2023, shall be collected in accordance with the provisions of this sub-section as they stood on the 1st day of April, 2023.”.

9. In section 253 of the Income-tax Act, in sub-section (9), in the proviso, for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 253.

10. In section 255 of the Income-tax Act, in sub-section (8), in the proviso, for the figures “2024”, the figures “2025” shall be substituted.

Amendment of
section 255.

CHAPTER IV

INDIRECT TAXES

Central Goods and Services Tax

12 of 2017.

11. In the Central Goods and Services Tax Act, 2017 (hereinafter referred to as the Central Goods and Services Tax Act), in section 2, for clause (6*l*), the following clause shall be substituted, namely:—

Amendment of
section 2.

“(6*l*) “Input Service Distributor” means an office of the supplier of goods or services or both which receives tax invoices towards the receipt of input services, including invoices in respect of services liable to tax under sub-section (3) or sub-section (4) of section 9, for or on behalf of distinct persons referred to in

section 25, and liable to distribute the input tax credit in respect of such invoices in the manner provided in section 20;’.

12. For section 20 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

“20. (1) Any office of the supplier of goods or services or both which receives tax invoices towards the receipt of input services, including invoices in respect of services liable to tax under sub-section (3) or sub-section (4) of section 9, for or on behalf of distinct persons referred to in section 25, shall be required to be registered as Input Service Distributor under clause (viii) of section 24 and shall distribute the input tax credit in respect of such invoices.

(2) The Input Service Distributor shall distribute the credit of central tax or integrated tax charged on invoices received by him, including the credit of central or integrated tax in respect of services subject to levy of tax under sub-section (3) or sub-section (4) of section 9 paid by a distinct person registered in the same State as the said Input Service Distributor, in such manner, within such time and subject to such restrictions and conditions as may be prescribed.

(3) The credit of central tax shall be distributed as central tax or integrated tax and integrated tax as integrated tax or central tax, by way of issue of a document containing the amount of input tax credit, in such manner as may be prescribed.”.

13. After section 122 of the Central Goods and Services Tax Act, the following section shall be inserted, namely:—

“122A. (1) Notwithstanding anything contained in this Act, where any person, who is engaged in the manufacture of goods in respect of which any special procedure relating to registration of machines has been notified under section 148, acts in contravention of the said special procedure, he shall, in addition to any penalty that is paid or is payable by him under Chapter XV or any other provisions of this Chapter, be liable to pay a penalty equal to an amount of one lakh rupees for every machine not so registered.

(2) In addition to the penalty under sub-section (1), every machine not so registered shall be liable for seizure and confiscation:

Provided that such machine shall not be confiscated where—

(a) the penalty so imposed is paid; and

(b) the registration of such machine is made in accordance with the special procedure within three days of the receipt of communication of the order of penalty.”.

DR. RAJIV MANI,
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀಲ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-34

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜ 01 ಕೇನಿಪ್ಪ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 08.01.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟಿಸಿದ the Coastal Aquaculture Authority Rules, 2024 ರ
Notification-GSR 33(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF FISHERIES, ANIMAL HUSBANDRY AND DAIRYING

(Department Of Fisheries)

NOTIFICATION

New Delhi, the 8th January, 2024

G.S.R 33(E).— In exercise of the powers conferred by section 24 of the Coastal Aquaculture Authority Act, 2005 (24 of 2005) and in supersession of the Coastal Aquaculture Authority Rules, 2005 except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Coastal Aquaculture Authority Rules, 2024.

(2) They shall come into force from the date of their publication in the Official Gazette.

2. Definitions.— (1) In these rules, unless the context otherwise requires,—

(a) “Act” means the Coastal Aquaculture Authority Act, 2005 (24 of 2005);

(b) “Authority” means the Coastal Aquaculture Authority established under sub-section (1) of section 4 of the Act;

(c) “biosecurity measures” means all biosecurity measures and programmes including physical, chemical and biological measures necessary to protect the coastal aquaculture units and stocks from the ingress and consequences of all diseases that represent a high risk;

(d) “biosecurity audit” means an audit to examine, the types of biosecurity measures, their relevance, execution and effectiveness in securing such coastal aquaculture units and stocks from the ingress of any disease;

(e) “Chairperson” means the Chairperson of the Authority;

- (f) “farm” means a coastal aquaculture unit where culturing of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life is done under controlled conditions in ponds, pens, cages, rafts, enclosures or otherwise, in saline or brackish water in coastal areas and includes nursery rearing, but does not include freshwater aquaculture;
- (g) “fee” means any fee stipulated in these rules;
- (h) “Form” means a Form appended to these rules;
- (i) “Guidelines” means any of the Guidelines referred to in rule 3;
- (j) “Hatchery” means a coastal aquaculture unit carrying on coastal aquaculture activity of breeding and seed production of fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life, in saline or brackish water and includes rearing of Nauplii and Live Feed, but does not include freshwater aquaculture;
- (k) “high health stock” means any fish stocks including crustacean, mollusc, finfish, or any other aquatic species that are raised in bio secure facilities, following bio secure management measures, fed with bio secure feeds and has the established history of freedom from specific pathogens for a continuous period of at least six months;
- (l) “live feed” means the live invertebrates, micro algae and such other organisms either cultured or captured from wild and used alive as the feed for different stages of any fish, including crustacean, mollusc, finfish, or any other aquatic species;
- (m) “nursery” means a coastal aquaculture unit either indoor or outdoor, intended to rear the larval forms of any fish, including crustacean, mollusc, finfish, seaweed or any other aquatic life, to a juvenile to transfer to the farm where the juveniles are grown to a commercial size;
- (n) “member” means member of the Authority appointed under sub-section (3) of section 4 of the Act and includes the Chairperson;
- (o) “regulations” mean the regulations made by the Authority under section 25 of the Act;
- (p) “Schedule” means any of the Schedule appended to these rules;
- (q) “Specific Pathogen Free ” means any fish stocks including crustacean, mollusc, finfish, or any other aquatic species and any bio secured coastal aquaculture unit, following bio secure management measures, using bio secure feeds and has the established history of freedom from specific pathogens for a continuous period of at least two years;
- (r) “specific pathogen tolerant” means the any fish stocks including crustacean, mollusc, finfish, or any other aquatic species tolerant to a specific disease such that the stock can be infected but may not develop the disease or it may develop it to a lesser extent;
- (s) “specific pathogen resistant” means a qualitative trait of any fish stocks including crustacean, mollusc, finfish, or any other aquatic species having resistant to infection by a specific pathogen.
- (t) “notification” means a notification published in the Official Gazette.

(2) The Words and expressions used herein and not defined but defined in the Coastal Aquaculture Authority Act, 2005 (24 of 2005) or the Environment Protection Act, 1986 (29 of 1986) shall have the meanings respectively assigned to them in those Acts.

3. Guidelines.— For the purposes of ensuring that coastal aquaculture does not cause any detriment to the coastal environment and to protect the livelihood of various sections of the people living in the coastal areas, all coastal aquaculture units and activities shall comply with the following Guidelines to be issued in compliance with section 3 of the Act, namely:—

- (a) Guidelines for regulating coastal aquaculture;
- (b) Guidelines for regulating hatcheries and farms for seed production and culture of Specific Pathogen Free Litopenaeus vannamei;
- (c) Guidelines for seed production and culture of Specific Pathogen Free Penaeus monodon;
- (d) Guidelines for the health monitoring, disease surveillance and Specific Pathogen Free certification of coastal aquaculture units and stocks in India;
- (e) Guidelines for certificate of compliance for aquaculture inputs;

(f) Guidelines for the establishment and operation of Nucleus Breeding Centres and Broodstock Multiplication Centres in India;

(g) Guidelines for solid waste management in coastal aquaculture units or activities.

4. Terms and conditions of service of Chairperson and members.— (1) The Chairperson shall be entitled to such salary and allowances and such conditions of service in respect of leave, pension, and other matters as admissible to a Secretary to the Government of India.

(2) The Secretary of the Authority shall be an officer not below the rank of a Joint Secretary to Government of India to be appointed on deputation basis by the Central Government through Central Staffing Scheme of the Government of India, initially for a term of three years, which may be extended for one more term of three years, or till he attains the age of superannuation, whichever is earlier.

(3) The members appointed under clauses (b), (c), (d), (e), (f), (fa) and (g) of sub-section (3) of section 4 of the Act shall be part-time members and shall not be entitled for any salary and allowances under these rules:

Provided that non-official members shall be entitled to sitting fees as well as Travelling Allowance, Dearness Allowance, etc. as may be fixed by the Central Government from time to time.

(4) A member appointed under clauses (b), (c), (d), (e), (f), (fa) and (g) of sub-section (3) of section 4 of the Act shall cease to be a member if such member ceases to hold the office by virtue of which he was appointed.

(5) The Chairperson may resign his office by giving notice in writing to the Central Government and upon such resignation being accepted by the Central Government, the Chairperson shall be deemed to have vacated his office.

(6) A member may resign his office by a letter addressed to the Chairperson.

(7) The office of a member shall fall vacant from the date on which the resignation of such member is accepted by the Central Government or on expiry of thirty days from the date of the receipt of the resignation by the Chairperson, whichever is earlier.

(8) The Central Government may remove any member who becomes subject to any of the disqualifications specified in section 5 of the Act.

(9) The Central Government may also remove any member if he, without the approval of the Chairperson, fails to attend three consecutive meetings of the Authority.

(10) A member of the Authority nominated by the Central Government under sub-section (3A) of section 4 of the Act, shall exercise the power of the Chairperson relating to—

- (i) deciding the date and place of Authority meetings;
- (ii) calling meetings of the Authority;
- (iii) approving the agenda for such meetings;
- (iv) inviting special invitees to the meetings of the Authority;
- (v) presiding over meetings, and;
- (vi) such other powers and functions as may be assigned to him by the Central Government.

(11) The Secretary shall function as the Chief Executive Officer of the Authority and shall be responsible for the implementation of the work programs and decisions arrived by the Authority or by the committees set up by it and discharge the duties imposed on him under these rules.

(12) The Secretary shall, in consultation with the Chairperson, fix the date, time, place and also draw up agenda for every meeting.

(13) The Secretary shall have powers of general superintendence over the functioning of the Authority, which shall include,-

- (a) to grant leave to the officers and staff of the Authority;
- (b) to exercise administrative control over all divisions and officers of the Authority;
- (c) to call for documents and record and to inspect or cause to be inspected, the accounts and places of storage or of business as required under these rules;

- (d) to sanction expenditure for contingencies, supplies and services and purchase of articles required for the functioning of the office of the Authority;
- (e) cause all important papers and matters to be presented to the Authority as early as practicable; and
- (f) issue directions as to the method of carrying out the decisions of the Authority.

(14) The Secretary shall ensure timely conduct of meetings of the District, Sub-Divisional Level or such other committees, as per the timeline specified in the regulations, for the speedy and timely disposal of matters related to the implementation of the Act and these rules.

(15) The Secretary shall oversee the functioning of authorised officers and adjudicating officers under the Act for the speedy and timely disposal of matters related to the implementation of the Act on the field.

5. Functions of Authority.— The Authority shall perform the following other functions in addition to the functions specified under section 11 of the Act, namely.—

- (i) to ensure that the agricultural lands, mangroves, wet lands, forest lands, land for village common purposes and the land meant for public purposes and national parks and sanctuaries shall not be converted for construction of coastal aquaculture farms so as to protect the livelihood of coastal community;
- (ii) to deal with any issues pertaining to coastal aquaculture including those which may be referred to it by the Central Government;
- (iii) to survey the entire coastal area of the country and advise the Central Government and the State Governments to formulate suitable strategies for achieving eco-friendly coastal aquaculture development;
- (iv) may develop a nationwide aquaculture mapping and zonation, including the following, namely:—
 - (a) use of high resolution geographic information system maps, integrated with land surveys, subdivisions, boundaries and land ownership merged with the land use map and regulatory requirements under the law;
 - (b) identify and locate the potential areas, based on multiple parameters including the water source such as sea front, estuary, river, creek, backwater, the type of land through the multicriteria decision support system that are validated by the field surveys;
 - (c) define broad zones suitable for different type of aquaculture and other allied activities or species or stocking density or in combination of all in such zones to deter and abate any environmental hazard;
- (v) to advice and assist the States to take steps for containment of infection and disease management through development of Aquaculture Management Areas with enhanced traceability;
- (vi) to take steps for the grant of auto registration for the coastal aquaculture units located in the potential zones identified through aquaculture maps;
- (vii) to advise and extend support to the State Governments to construct common infrastructure such as common water in-take and discharge canals by the coastal aquaculture farms and common effluent treatment systems for achieving eco-friendly and sustainable development of coastal aquaculture;
- (viii) to fix or adopt standards, certify, monitor, regulate or prohibit coastal aquaculture inputs such as seed, feed, growth supplements including probiotics, therapeutants and such other inputs used in coastal aquaculture for the maintenance of the water bodies and the organisms reared therein and other aquatic life for the prevention, control and abatement of any detriment to the coastal aquaculture or coastal environment as may be specified in the Guidelines for certificate of compliance for aquaculture inputs referred to in clause (e) of rule 3;
- (ix) to carry out and sponsor investigations and studies or schemes relating to environment protection and demonstration of eco-friendly technologies in coastal aquaculture;
- (x) to collect and disseminate data and other scientific and socio-economic information in respect of matters related to coastal aquaculture;
- (xi) to prepare manuals, codes and audio-visual material relating to sustainable development of coastal aquaculture and activities relating thereto;
- (xii) to organise through media and other means of communication a comprehensive programme regarding sustainable utilisation and fair and equitable sharing of the coastal resources for aquaculture purpose;

- (xiii) to plan and organise training of personnel engaged or likely to be engaged in sustainable utilisation of the coastal resources for aquaculture purposes;
- (xiv) to constitute various technical committees, sub-committees, working groups, sub-groups that may comprise of the members and officers of the Authority, scientists and officers of the national research institutes or State Governments, public representatives or representatives of the civil society or coastal aquaculture association or local body or farmer producer organisations for preparation of technical manuals, code of conduct, etc.;
- (xv) to direct the owners or operators of the coastal aquaculture units to carry out such modifications to minimise the impacts on coastal environment including stocking density and the use of aquaculture inputs certified by the Authority;
- (xvi) to order seasonal closure of the coastal aquaculture units for the sustainability of the coastal aquaculture practices, maintaining environmental sustainability and protection of livelihoods or for any other reasons considered necessary in the interest of coastal environment;
- (xvii) to make recommendations to the Government for amending the Guidelines from time to time taking into account the changes in technology, farming practices, etc, and incorporating modifications, as may be necessary, in such Guidelines, to ensure environmental protection and the livelihoods of the coastal communities;
- (xviii) to safeguard the coastal aquaculture and the environment from the impact of diseases and pests, through risk analysis, risk mitigation measures, inspection and implementation of mitigation response arrangements;
- (xix) to formulate requirements for the health monitoring, disease surveillance and certification of coastal aquaculture units and stocks as Specific Pathogen Free by ensuring freedom from diseases as specified in the Guidelines for health monitoring, disease surveillance and Specific Pathogen Free certification of coastal aquaculture units and stocks in India referred to in clause (d) of rule 3.

6. Powers and functions of one man Authority.— (1) The one man authority to be appointed under sub-section (2) of section 11 of the Act shall exercise the powers of a District Magistrate with regard to the compensation as may be settled between the workers and the management.

(2) While settling the compensation to be paid to the workers, factors such as the likely loss of income for the workers, the alternate employment opportunities for them and the paying capacity of the employer may be taken into account.

(3) For the purposes of ensuring that the amount of compensation settled is paid to the workers, the one man authority shall exercise the powers of the Collector and District Magistrate under the land revenue laws of the respective States.

7. Power to enter on any coastal aquaculture unit.— (1) The person authorised by the Authority shall have the powers to take one or more persons including police personnel to carry out the functions mentioned in this rule.

(2) The powers of a person authorised by the Authority to enter on any coastal aquaculture unit shall be subject to the following conditions, namely:-

(i) the Authority's decisions to make any inspection, survey, measurement, valuation or inquiry as well as removal or demolition of any structure shall be intimated to the owner of the coastal aquaculture unit or his representative at least twenty-four hours in advance in writing and delivered to him by registered post or by messenger and such notice shall also be pasted at a prominent place in the premise of the coastal aquaculture unit:

Provided that if the owner refuses to accept the notice, such pasting shall be deemed to be due service of the notice on him:

Provided further that the requirement of notice may be waived by the Authority in such cases and for such reasons to be recorded in writing, as it deems fit:

(ii) the activities mentioned in section 12 of the Act shall be carried out in the presence of the owner or his representative if he desires to do so and such owner may also be permitted to bring his own staff (not more than two) to assist in the inspection, survey, measurement, valuation or inquiry;

(iii) the removal or demolition of any structure shall be carried out under a panchanama and wherever possible a representative of the local body may be included in the team and his signature recorded in the panchanama:

Provided that the owner shall be liable to pay the cost of demolition and cost of damage to the environment, if any, assessed in such manner as may be specified in the Guidelines;

(iv) the persons authorised by the Authority to perform the functions mentioned under clauses (a) and (b) of section 12 of the Act shall do so only during the daytime before sunset;

(v) the persons authorised by the Authority to perform the functions under clause (a) of section 12 of the Act shall endeavour that such functions are carried out without causing any damage to the civil structures, equipment, machinery or the standing crop.

8. Other functions to be performed by an authorised person.— Any person authorised by the Authority shall,—

(i) take samples of water, soil, aquaculture input and the farmed animal for the purpose of detection of banned antibiotics, chemicals and other pharmacologically active compounds adopting appropriate procedures for collection, analysis, reporting and follow up action;

(ii) subject to the provisions of rule 7, remove or demolish any coastal aquaculture unit or any structure therein causing pollution that has been ordered by the Authority to be removed or demolished under clause (d) of sub-section (1) of section 11 of the Act;

(iii) drain the water from the coastal aquaculture unit or destroy the standing crop therein, causing pollution that has been ordered by the Authority to be so destroyed;

(iv) authorise or recognise laboratories to carry out analysis of soil, water, aquaculture inputs, farmed animals or other farmed aquatic life for the purpose of health monitoring and disease surveillance; detection of banned antibiotics, chemicals and other pharmacologically active substances or such other material.

9. Registration and fees.— (1) Every application for registration of any coastal aquaculture unit or coastal aquaculture activity under section 13 of the Act shall be made in Form-I or Form-II, specific to each coastal aquaculture unit or activity specified in Schedule-II, to be obtained from the office of the Member Convener of Sub-Divisional Level Committee or District Level Committee, or from the office of the Authority or downloaded from the website of the Authority.

(2) The application for the registration of any coastal aquaculture unit or activity in the case of .—

(a) sea weed culture, cage culture, raft culture, pen culture, Recirculatory Aquaculture System , Bio-floc, nurseries, etc., and traditional coastal aquaculture farms irrespective of their size, shall be made in Form-I, by the owner or operator thereof to the Sub- Divisional Level Committee or directly to the District Level Committees (in the absence of a Sub-Division in a particular District) where the coastal aquaculture unit is located.

(b) Hatchery, Nauplii Rearing Hatchery, Live Feed Unit, Nucleus Breeding Centre and Broodstock Multiplication Centre shall be made in Form-II, by the owner or operator thereof directly to the Authority.

(3) The Authority may, in the public interest, make provision for on-line filing of an application for registration.

(4) Every application for registration of a coastal aquaculture unit or activity shall be accompanied with-

(a) a fee as specified in Schedule-I; and

(b) the documents as specified in Schedule-II.

(5) The fees for registration shall be payable in the form of a Demand Draft or electronically through online mode in favour of the Member Convener of the Sub-Divisional Level Committee or District Level Committees in the absence of a Sub-Division in a particular District or in favour of the Coastal Aquaculture Authority.

(6) In case of any defect in the application, the Member Convener of the Sub-Divisional Level Committee concerned shall within seven days of receipt of application, inform the applicant in writing, to rectify the defect within fifteen days from the date of receipt of such information:

Provided that if the applicant fails to rectify the defect within such period, the application for registration shall be deemed to have been rejected.

(7) The Sub-Divisional Level Committee or District Level Committees in the absence of a Sub-Division in a particular District may, if satisfied that the application for registration complies with the requirements, recommend the same for registration in the manner provided in rule 10.

(8) Where the application for registration is refused, the reasons for such refusal shall be recorded in writing and a copy of the order of refusal shall be furnished to the applicant.

(9) On receipt of the application from the Sub-Divisional Level Committee or the Divisional Level Committee, as the case may be, the Authority or any officer authorised by the Authority may require the applicant to furnish within a such period as may be specified by it, such additional information as he may consider necessary for the purpose of registration or renewal and every such applicant shall be bound to furnish such information within the specified period.

(10) The Authority may, upon satisfaction, grant registration or by order, refuse registration or renewal thereof, if the applicant fails to furnish the required information or furnishes incorrect information and a copy of the order together with reasons for such refusal shall be communicated to the applicant.

(11) The grant of registration or refusal thereof shall be made within a period of sixty days from the date of receipt of application by the Authority:

Provided that the time limit for processing the application by the Sub-Divisional Level Committee, the District level committee and the Authority, shall be as specified in the regulations.

(12) Any person aggrieved by an order of refusal under this rule may, within thirty days from the date of receipt by him of a copy of the order of refusal, appeal to the Chairperson who may either affirm, vary or set aside such order.

10. Manner of considering application for registration of certain coastal aquaculture units or activities.— (1) On receipt of an application for registration under sub-rule (2) of rule 9, the Sub-Divisional Level Committee or the District Level Committee (in the absence of a Sub-Division in a particular District) shall scrutinise the application including documents furnished therewith in respect of the coastal aquaculture units irrespective of their size and process them as follows, namely:—

(a) in the case of coastal aquaculture farms up to 2.0 hectare water spread area, sea weed culture, cage culture, raft culture, pen culture, Recirculatory Aquaculture System, Bio-floc, nurseries etc., and traditional coastal aquaculture farms irrespective of their size, Sub-Divisional Level Committee upon satisfaction of the information furnished therein, shall recommend the application directly to the Authority for consideration of registration,—

(b) in the case of coastal aquaculture farms above 2.0 hectare of water spread area and upto 5.0 hectare of water spread area, the Sub-Divisional Level Committee shall recommend the application directly to the Authority for consideration of registration only after making such inquiry including inspection as it thinks fit, to satisfy itself that the registration of such farm shall not be detrimental to the coastal environment;

(c) in the case of coastal aquaculture farms above 5.0 ha of water spread area, the Sub-Divisional Level Committee shall recommend the application to the District Level Committee for consideration of registration,—

(i) after making such inquiry including inspection as it thinks fit, to satisfy itself that the registration of such farm shall not be detrimental to the coastal environment;

(ii) after making further inquiries to ascertain that the coastal aquaculture farm conforms to the stipulations laid down in the Guidelines for regulating coastal aquaculture referred to in clauses (a), (b) and (c) of rule 3.

(2) On receipt of an application under clause (c) of sub-rule (1), the District Level Committee, upon satisfaction, shall further recommend the application to the Authority for consideration of registration.

(3) For the purposes of this rule, the compositions of the Sub-Divisional Level and the District Level Committees shall be as under, namely:—

(A) Sub-Divisional Level Committee:

- (a) Revenue Divisional Officer or Sub-Collector of a sub-division -Chairperson, ex officio;
- (b) Tahsildar or Mandal Revenue officer within the sub-division - Member, ex officio;
- (c) Sub-divisional Agriculture Officer or equivalent- Member, ex officio;
- (d) Assistant Conservator of Forest or equivalent - Member, ex officio;
- (e) Sub-divisional officer of Irrigation or Water Resources- Member, ex officio;
- (f) Block Development Officer- Member, ex officio;

(g) Assistant Director of Fisheries in the district or equivalent - Member Convener, ex officio.

(B) District Level Committee:

- (a) District Collector or Deputy Commissioner of the District or Additional Collector or Joint Collector or Additional Deputy Commissioner-Chairperson, ex officio;
- (b) Revenue Divisional Officer or Sub-Collector of sub-division- Member, ex officio;
- (c) Chief Executive Officer of Zila parishad or equivalent- Member, ex officio;
- (d) District Head of Agriculture- Member, ex officio;
- (e) Divisional Forest Officer or equivalent- Member, ex officio;
- (f) District Head of Irrigation or Water Resources- Member, ex officio;
- (g) Representative from Marine Products Export Development Authority- Member, ex officio;
- (h) any other Government Official in the District to be co-opted by the Collector or Deputy Commissioner of the District- Member, ex officio;
- (i) District Head of Fisheries- Member Convener, ex officio.

(4) Any recommendations under this rule by the District Level Committee or the Sub- Divisional Committee, as the case may be, shall be made by a quorum consisting of two thirds of the members including the Chairperson and the Member Convener, at its meeting for making such recommendation.

11. Manner of considering application for registration of coastal aquaculture Hatchery, Nauplii Rearing Hatchery, Live Feed Unit, Broodstock Multiplication Centre and Nucleus Breeding Centre.—

(1) No person shall establish Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or a Nucleus Breeding Centre without obtaining prior permission, by making an application with relevant documents, in the case of,—

- (a) Hatchery or Nauplii Rearing Hatchery or Live Feed Unit in Form-II, to the Authority; and
- (b) Broodstock Multiplication Centre or a Nucleus Breeding Centre, in the Form specified in the Guidelines for establishment and operation of Nucleus Breeding Centres and Broodstock Multiplication Centres in India referred to in clause (f) of rule 3, to the Central Government.

(2) On receipt of such application for prior permission under sub-rule (1), the Authority or the Central Government, as the case may be, shall verify the particulars given in the application along with documents attached therewith and process the application in such manner as may be specified in the Guidelines referred to in clauses (a), (b), (c) and (f) of rule 3.

(3) The Authority or the Central Government shall issue a prior permission for the construction of Hatchery, Nauplii Rearing Hatchery or Live Feed Unit, Broodstock Multiplication Centre or Nucleus Breeding Centre on being satisfied that the application complies with the Guidelines referred to in clauses (a), (b), (c) and (f), of rule 3;

(4) Upon receipt of the prior permission under the sub-rule (3), the owner or operator of the facility shall construct the Hatchery, Nauplii Rearing Hatchery or Live Feed Unit or Nucleus Breeding Centre or Broodstock Multiplication Centre, in accordance with the biosecurity measures specified in the Guidelines referred to in clauses (a), (b), (c) and (f) of rule 3 and shall intimate the completion of construction to the Authority for inspection of the unit, along with an application in Form-II for registration.

(5) Upon such intimation, the Technical and Inspection Committee constituted for such purpose shall inspect the coastal aquaculture units or activities and furnish the report with its specific recommendations to the Authority within three weeks of such intimation.

(6) The deficiencies or shortfalls, if any, observed and communicated by the Technical and Inspection Committee, shall be rectified by the owner or operator and the compliance of the same shall be communicated to the Authority.

(7) On receipt of compliance report under sub-rule (5) or sub-rule (6), the Authority shall grant the registration within a period of sixty days from the date of receipt of the application by the Authority and order of any refusal shall be communicated to the applicant duly furnishing the reasons therefor.

(8) Any owner or operator aggrieved by an order of refusal under sub-rule (7) may, within thirty days from the date of receipt of such order of refusal, prefer appeal to the Chairperson in writing, who may either affirm, vary or set aside such order of refusal.

12. Form for certificate of registration.— (1) The Authority may grant the certificate of registration including through electronic means,—

- (a) in Form-IV, in the case of coastal aquaculture unit or activity referred to in clause (a) of sub-rule (2) of rule 9; and
- (b) in Form- V, in the case of coastal aquaculture unit or activity referred to in clause (b) of sub-rule (2) of rule 9.

(2) The certificate of registration granted under these rules shall be valid for five years from the date of such registration and shall be renewed for similar period with the same registration number in accordance with the procedure laid down in rule 13 and subject to such terms and conditions as may be specified in the certificate.

(3) In case of coastal aquaculture units established on the lands allotted or assigned by the Government, the validity of registration of coastal aquaculture unit shall be co terminus with the period for which the land has been allotted or assigned or reallocated or reassigned by the Government:

Provided that the cumulative validity of such registration shall not exceed five years and no separate application for extension of validity of registration shall be required under this sub-rule within such period of five years for which the land has been reallocated or reassigned.

(4) The coastal aquaculture units registered by the Authority shall have the right to access and draw the quality saline water or seawater from the nearest source and to discharge the treated effluent by laying pipeline without causing any damage to the coastal environment in compliance with the procedures as may be specified in the Guidelines.

13. Renewal of registration.— (1) Every application for renewal of registration of a coastal aquaculture unit or activity shall be made by the owner or operator thereof, before ninety days from the date of expiry of its period of validity, to the Authority in Form-I, or Form-II, specified in Schedule-II, along with the documents establishing the ownership and operational status of the coastal aquaculture unit or activity.

(2) The Authority on being satisfied with the application under sub-rule(1), shall renew the registration for a further period of five years.

(3) In case of delay in making application for renewal of registration within the period specified in sub- rule (1), the application for renewal of registration of the coastal aquaculture unit or activity shall be accompanied with a request for condoning the delay, specifying the reasons for the delay and shall be accompanied by such additional fee, which shall be two times the applicable fee for renewal of registration for the period from the date of expiry of such registration.

(4) The Authority, if satisfied that the delay was due to sufficient cause, may condone the delay in making application for renewal within the specified time, subject to payment of fees specified in sub-rule (3):

Provided that all the registration of whose validity has expired as on the date of publication of this notification in the Official Gazette, may be condoned on payment of such fees as the Authority deems fit, if an application for condonation of the delay is made within one year from the date of such publication.

(5) The Authority may undertake any inquiries including inspections, as deems fit, to conform the claims made in the application under these rules by itself or through Sub-Divisional Level Committee or District Level Committee and the owner or operator of coastal aquaculture unit shall be liable for any acts of omission or commission under these rules, the Act, the regulations or the Guidelines.

(6) The fees payable for renewal of registration shall be the same as specified in Schedule-I for registration of a coastal aquaculture unit or activity and shall be paid to the Authority in the form of a Demand Draft or electronically through online mode.

(7) The time limit for consideration of renewal of registration shall be as specified in the regulations.

(8) Where the Authority is satisfied that further continuation of the said coastal aquaculture unit or activity is harmful to the coastal environment, it shall refuse to renew the registration thereof:

Provided that the Authority shall, before such refusal for renewal of the registration, give the concerned owner or operator, an opportunity for being heard and a copy of the order together with the reasons for the refusal shall be communicated to such owner or operator.

(9) Any owner or operator aggrieved by an order of refusal of renewal may, within thirty days from the date of receipt by him of a copy of the order of refusal, appeal to the Chairperson who may affirm, vary or set aside such order.

14. Issuance of duplicate certificate of registration of coastal aquaculture unit or certificate of compliance for aquaculture inputs.— (1) Any loss or mutilation of the certificate of registration of a coastal aquaculture unit or activity or a certificate of compliance for aquaculture inputs shall be reported forthwith, by the owner or operator, to the police authority concerned.

(2) The application for grant of a duplicate certificate of registration of coastal aquaculture unit or certificate of compliance for aquaculture inputs shall be accompanied with a fee of five hundred rupees to be paid electronically or in the form of a Demand Draft drawn in favour of the Coastal Aquaculture Authority along with a non-traceable certificate issued by the police authority concerned or a self-declaration in the case of damaged certificate.

(3) The Authority shall issue a duplicate certificate of registration of the coastal aquaculture unit or a duplicate certificate of compliance for aquaculture inputs, as the case may be, ordinarily within fifteen days from the date of receipt of such application after duly verifying the facts and documentary evidence, if any, and satisfying itself as to the genuineness of the application.

15. Cancellation of registration. — (1) Where the Authority is satisfied that any person has obtained a certificate of registration under sub-rule (1) of rule 12 by furnishing false information or in contravention of any of the provisions of these rules or of the conditions mentioned in the certificate of registration, it shall, without any prejudice to any other action that may be taken against such person, cancel the certificate of registration of coastal aquaculture unit or activity:

Provided that before cancelling such certificate, the person concerned shall be given an opportunity of being heard and a copy of the order together with the reasons for the cancellation shall be communicated to the person concerned.

(2) Any person aggrieved by an order of cancellation under this rule may, within thirty days from the date of receipt by him of a copy of the order of cancellation, appeal to the Chairperson who may either affirm, vary or set aside such order.

16. Transfer of ownership or interest therein of coastal aquaculture unit or activity. —

(1) Every application for transfer of ownership or interest therein of coastal aquaculture unit by way of sale or by operation of law, shall be made with documentary evidence for substantiating the claim and accompanied with the fees as specified in Schedule-I.

(2) The Authority shall, after making such enquiry as it deems fit, allow the transfer of ownership of coastal aquaculture unit for the remaining period of validity of registration ordinarily within a period of fifteen days from the date of receipt of such application:

Provided that the Authority may, by order, refuse an application for transfer of ownership or interest therein of a coastal aquaculture unit if the applicant fails to furnish the information asked for or furnishes incorrect information and a copy of the order together with reasons for such refusal shall be communicated to the applicant.

(3) Any owner or operator aggrieved by an order of refusal under sub-rule (2) may, within thirty days from the date of receipt of such order of refusal, prefer an appeal to the Chairperson in writing who may either affirm, vary or set aside such order of refusal.

(4) If, during the period of validity of the registration, the owner or operator of a coastal aquaculture unit or activity desires to make any change in the certificate of registration, he shall apply to the Authority at least thirty days before the expiry of the period of validity of such registration and the Authority shall after making such enquiries, as it considers necessary, where it agrees to the change, cause the details of such change to be entered in the certificate of registration.

17. Manner of assessing cost of damage to environment.—

(1) The Authority shall constitute a committee to be called the environmental monitoring committee consisting of such members as it deems fit, to assess the cost of damage to the environment and cost of demolition as may be specified in the Guidelines.

(2) The operator or owner of such coastal aquaculture unit or activity shall be liable for payment of the assessed cost of damage to coastal environment, including the cost of demolition of such unit, into the account of the Authority.

(3) The receipts of amount shall be maintained by the Authority and be utilised for the purposes as may be specified in the Guidelines.

18. Standards and certification of aquaculture inputs.—

(1) The Authority shall constitute expert committees consisting of independent scientific experts including representatives from stake holders as it deems appropriate, who shall recommend —

- (a) new standards of product or labelling;
- (b) standards of product or labelling developed by any other competent authority or institution, for different categories of aquaculture inputs for adoption; and
- (c) for prohibition of such pharmacologically active substance, antimicrobial agent or other material, the use of which in coastal aquaculture may cause harm to human health, based on the best scientific evidences available to it, including the following, namely: -
 - (i) Chloramphenicol;
 - (ii) Nitrofurans including: Furaltadone, Furazolidone, Furylfuramide, Nifuratel, Nifuroxime, Nifurprazine, Nitrofurantoin, Nitrofurazone;
 - (iii) Neomycin;
 - (iv) Nalidixic acid;
 - (v) Sulphamethoxazole;
 - (vi) Aristolochiaspp and preparations thereof;
 - (vii) Chloroform;
 - (viii) Chlorpromazine;
 - (ix) Colchicine;
 - (x) Dapsone;
 - (xi) Dimetridazole;
 - (xii) Metronidazole;
 - (xiii) Ronidazole;
 - (xiv) Ipronidazole;
 - (xv) Other nitroimidazoles;
 - (xvi) Clenbuterol;
 - (xvii) Diethylstilbestrol (DES);
 - (xviii) Sulfonamide drugs (except approved Sulfadimethoxine);
 - (xix) Sulfabromomethazine and Sulfaethoxypyridazine);
 - (xx) Fluroquinolones;
 - (xxi) Glycopeptides.

(2) On the acceptance of the recommendation of such expert committee, the Authority shall, from time to time,—

- (a) specify the standards developed or adopted for different categories of aquaculture inputs;
- (b) by an order, prohibit such pharmacologically active substance, antimicrobial agent or other material for use in any coastal aquaculture;
- (c) undertake such other measures as may be recommended by the expert committees for confirming the standards and freedom from pharmacologically active substances, antimicrobial agents and other prohibited substances;
- (d) provide adequate publicity to the standards for different categories of inputs and share the list of such pharmacologically active substance, antimicrobial agent or other material that are prohibited for use in any coastal aquaculture activity with all the stakeholders concerned.

(3) No aquaculture inputs shall be made available or used in coastal aquaculture without the certification from the Authority, except those specifically exempted by the Authority, as may be specified in the Guidelines for certificate of compliance for aquaculture input referred to in clause (e) of rule 3.

(4) Every application for certificate of compliance of an aquaculture input shall be in Form-III, accompanied with such documents as specified in Schedule-III, and with a fee of ten thousand rupees per product to be paid electronically or in the form of a Demand Draft drawn in favor of the Coastal Aquaculture Authority.

(5) The Authority shall scrutinise the application including the documents furnished therewith to conform that the aquaculture input complies with the standards and is free from the pharmacologically active substances, antimicrobial agents and other prohibited substances, as specified in the Guidelines for certificate of compliance for aquaculture input referred to in clause (e) of rule 3.

(6) Where the Authority is satisfied that the aquaculture input conforms to the standards, the Authority may grant the certificate of compliance through electronic means in Form-VI.

(7) The grant of certification or refusal, as the case may be, shall be made within a period of ninety days from the date of receipt of application for certification.

(8) The certificate of compliance granted under the sub - rule (6) shall be valid for a period of five years from the date of grant of such certificate of compliance.

(9) Every application for the renewal of validity of certificate of compliance of an aquaculture input shall be in Form-III, accompanied with such documents specified in Schedule-III and fee as specified in sub-rule 4.

(10) The certificate of compliance of an aquaculture input granted under sub-rule (6) shall be renewed by the Authority for a similar period in accordance with the procedures specified in the Guidelines for certificate of compliance for aquaculture input referred to in clause (e) of rule 3.

(11) The Authority shall monitor the compliance of aquaculture inputs in the manner specified in the Guidelines for certificate of compliance for aquaculture input referred to in clause (e) of rule 3.

19. Health monitoring, disease surveillance and Specific Pathogen Free certification.—

(1) The Specific Pathogen Free certification shall be mandatory for —

(a) all Broodstock Multiplication Centres, Nucleus Breeding Centres, Live Feed Units for Artemia and Polychaete worms and the stocks therein; and

(b) any other coastal aquaculture unit or stock as the Central Government may, by an order, specify from time to time.

(2) The Authority may recommend the need for Specific Pathogen Free certification for any coastal aquaculture units and stocks.

(3) The Central Government may, from time to time, specify —

(a) the competent authority for effective implementation of health monitoring, disease surveillance and Specific Pathogen Free certification;

(b) the list of referral laboratories;

(c) the pathogens of concern or any other matter connected therewith, for species-specific coastal aquaculture unit in consultation with the Technical Advisory Committee constituted for the purpose.

(4) The Central Government may grant —

(a) accreditation of Specific Pathogen Free status to any coastal aquaculture unit or stock; and

(b) authorisation to sell the stocks as High Health or Specific Pathogen Free stock.

(5) The process of health monitoring, disease surveillance, chain of custody sampling and testing to conform the freedom from diseases or pathogens and the manner of certification shall be as specified in the Guidelines for health monitoring, disease surveillance and Specific Pathogen Free certification of coastal aquaculture units and stocks in India, referred to in clause (d) of rule 3.

20. The form and time for preparation of budget.— (1) The Authority shall, in each financial year, prepare a budget for the Authority for the next financial year and submit it for sanction to the Central Government on or before such dates as may be appointed by the Central Government.

(2) No expenditure shall be incurred until the budget is sanctioned by the Central Government and the sanction for that expenditure by the competent authorities is received.

(3) The budget shall be prepared containing the following or as may be directed by the Central Government, indicating,-

(a) the estimated opening balance;

(b) the estimated receipts referred to in sub-section (1) of section 17 of the Act;

- (c) the estimated expenditure classified under the following broad heads or such other heads as per the schemes approved by the Central Government, namely:-
- (i) administration;
 - (ii) development;
 - (iii) statistics;
 - (iv) inspection or works;
 - (v) financial and other assistance / subsidy scheme;
 - (vi) others.

(4) Wherever applicable, full details shall be given under various sub-heads for each broad head specified in sub-rule (3), indicating estimated expenditure including that of pay of officers, expenses of establishment, allowance, honoraria, contingencies, and the like.

(5) Supplementary estimates of expenditure, if any, shall be submitted for the sanction of the Central Government in such form and on such dates as may be directed by it in this behalf.

21. The form and time for preparation and submission of annual report.—

(1) The Chairperson or such employee of the Authority as may be authorised in this behalf, shall prepare, as soon as may be after the commencement of each financial year, an annual report which shall include an account of the activities of the Authority during the previous financial year, containing the following information, namely: —

- (a) a statement of corporate and operational goals and objectives of the Authority;
- (b) annual targets and physical and financial terms set for various activities together with a brief review of the actual performance with reference to those targets;
- (c) an administrative report on the activities of the Authority during the previous financial year and an account of the activities which are likely to be taken up during the next financial year;
- (d) a summary of the actual financial results during the previous financial year and year of report;
- (e) important changes in policy and specific measures either taken or proposed to be taken, which have influenced or are likely to influence the profitability or functioning of the Authority;
- (f) new projects or expansion schemes contemplated, together with their advantages, financial implications and programme for execution;
- (g) important changes in the organisational set up of the Authority;
- (h) report on employer-employee relations and welfare activities of the Authority; and
- (i) report on such other miscellaneous subjects as may be deemed fit by the Authority or the Central Government, for reporting to the latter.

(2) The annual report shall be placed for adoption in the meeting of the Authority and shall be signed by the Chairperson or in his absence by two members authorised for the purpose by the Chairperson and authenticated by fixing the common seal of the Authority and required copies thereof shall be submitted to the Central Government by the 31st day of December of the following year.

22. Form and manner of maintaining accounts of Authority.—

(1) The Authority shall maintain accounts of all receipts and expenditure relating to every financial year.

(2) A separate bank account shall be maintained for the registration fee.

(3) The expenditure incurred in a particular financial year shall be shown under separate heads and sub-heads.

(4) The opening balance, if any, shall also be stated as such, separately.

(5) The closing balance of the year shall be shown at the foot of the accounts on the expenditure side.

(6) The books of accounts and other books in relation to the accounts will be maintained in the form as laid down in the various General Financial Rules, the Central Treasury Rules and the Receipts and Payment Rules, in force from time to time.

(7) Except as otherwise provided in these rules, the provisions of the Central Treasury Rules, the Delegation of Financial Power Rules, 1978 and the General Financial Rules, 2017 of the Central Government, for the time being in force, shall subject to such modifications or adaptations as may be made by the Authority therein with the previous approval of the Central Government, apply to all financial transactions of the Authority.

Schedule-I

[See rules 9 (3)(a), 13(6) and 16(1)]

Fee for registration/renewal/transfer of ownership or interest therein of coastal aquaculture units or activities

S.No	Coastal aquaculture unit or activity	Fee
		Registration / renewal/ transfer of ownership or interest therein
1	Farm	
	Up to 5.0 hectare water spread area	Two hundred rupees (or fraction of a hectare), subject to a minimum of five hundred rupees
	Above 5 hectare up to 10 hectare water spread area	One thousand rupees plus five hundred rupees per hectare (or fraction of a hectare) in excess of 5 hectares.
	Above 10 hectare water spread area	Three thousand five hundred rupees plus One thousand rupees per hectare (or fraction and above of a hectare) in excess of 10 hectares.
2	Hatchery, Nauplii Rearing Hatchery, Live Feed Unit	Registration fee of ten thousand rupees
		Monitoring fee of fifty thousand rupees and
		Performance guarantee as may be specified by the Authority.
3	Broodstock Multiplication Centre or Nucleus Breeding Centre	Registration fee of twenty thousand rupees
		Monitoring fee for freedom from disease and
		Performance guarantee as may be specified by the Authority.
4	Sea weed culture	Rupees one hundred per registration
5	Pen culture, raft culture and cage culture etc.	Two rupees per cubic meter subject to minimum of Two hundred rupees
6	Recirculatory Aquaculture System and Bio-floc systems in indoor or outdoor cement cisterns	Ten rupees per cubic meter subject to minimum of five hundred rupees

Schedule-II

[See rules 9(1), (3)(b) and 13(1)]

Application Forms and documents for registration/renewal of coastal aquaculture unit or activities

Sl.No	Farm, seaweed culture, pen culture, raft culture, cage culture, Recirculatory Aquaculture System and Bio-floc	Hatchery, Nauplii Rearing Hatchery, Live Feed Unit, Broodstock Multiplication Centre and Nucleus Breeding Centre
(1)	(2)	(3)
1	Duly filled in application in Form-I	Duly filled in Form-II
2	Applicable registration fee proof of electronic payments including Unique Transaction Reference Number	Applicable registration fee proof of electronic payments including Unique Transaction Reference Number.
3	Copy of the registered sale deed / lease deed of the site / proof of Government assigned / allotment	Copy of the registered sale deed / lease deed of the site / proof of Government assigned / allotment document/ in

	document/ in local language and the translated English version with self-attestation	local language and the translated English version with self-attestation
4	Partnership deed, if applicable	Partnership deed, if applicable
5	Company/Firm registration certificate (if applicable)	Company /firm registration certificate. If leased, copy of the registered lease agreement
6	Copy of Field Measurement Book sketch of the site	Copy of Field Measurement Book sketch of the site.
7	Layout of the farm (Duly depicting the layout of Effluent Treatment Plant for farms with water spread area more than 5 hectares and also for farming of exotic species with stocking density of above 20 Number. Post Larvae per meter ² irrespective of the extent of water spread area)	Declaration in Part A of Form-II on fifty rupees non judicial stamp paper
8	Blueprint for the construction approved by the competent authority if any and if applicable	Blueprint for the construction approved by the competent authority
9	Environment Impact Assessment report (Mandatory for farms /mariculture units above 10 hectare water spread area)	Layout of the Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre along with drainage system.
10	Environment Management Plan report (Mandatory for farms/mariculture units above 40 hectare water spread area)	Water quality test report from the water source.
11	No Objection Certificate from local administration	No Objection Certificate from local administration
12	Project report, if applicable	Certified audited financial statement of the firm for the last three years (if applicable)
13	Any other document (please specify)	Terms and conditions of agreement with the Indian firms
14	-	Copy of the Memorandum of Understanding /agreement indicating a firm commitment for the supply of Specific Pathogen Free shrimp Broodstock or Parent Post-larvae as per the requirement
15	-	Certificate of freedom from disease issued by Competent Authority for the facility for at least for a continuous period of two years
16	-	Diagnostic reports of the facility of the overseas supplier during the recent surveillance from a Government authorised or World Organisation for Animal Health referral laboratory

Schedule-III

[See rules 18(4) and (9)]

Application Form and documents for certificate of compliance for aquaculture inputs / renewal

Sl.No	Form and documents
(1)	(2)
1	Duly filled application for each product separately in Form-III
2	Applicable processing fee in the form of a Demand Draft
3	Details of applicant company such as certificate of incorporation, Goods and Services Tax certificate, micro, small or medium enterprises, etc.)
4	Copy of the agreement between applicant company and merchant manufacturer (if applicable) (for Indian manufactured product only)
5	Details of manufacturing facility (License to work a factory/ Good Manufacturing Practice or Best

	Aquaculture Practices or Hazard Analysis and Critical Control Point System or International Organisation for Standardisation certificate of registration, etc.) (applicable for both Indian manufactured product and imported product)
6	Process certification for imported product (Good Manufacturing Practice or Best Aquaculture Practices or Hazard Analysis and Critical Control Point System or International Organisation for Standardisation or any other certificate)
7	Original label, in accordance with the Guidelines for certificate of compliance for aquaculture inputs referred to in clause (e) of rule 3
8	Manufacturing Process (Detailed) and testing process for quality control
9	Original laboratory report (NOT earlier than a month) from National Accreditation Board for Testing and Calibration Laboratories accredited laboratory for the parameters as specified in the Guidelines for certificate of compliance for aquaculture inputs referred to in clause (e) of rule 3
10	Undertaking for sample retention and reimbursing the cost of samples collected by the task force in the format specified in the Guidelines for certificate of compliance for aquaculture inputs referred to in clause (e) of rule 3
11	Notarised self-declaration in the format specified in the Guidelines for certificate of compliance for aquaculture inputs referred to in clause (e) of rule 3
12	Notarised agreement between applicant company and overseas principal manufacturer (for imported products only)
13	Health certificate / sanitary certificate/ veterinary certificate or any other certification indicating antibiotic-free status issued by the country of origin
14	Tamper proof mechanism if any available (with detailed description and illustration)
15	List of records maintained in the unit

FORM-I

[See rules 9(1), (2)(a) and 13 (1)]

Application for registration/renewal of coastal aquaculture unit or activity referred to in clause (a) of sub-rule (2) of rule 9

1	Applicant details	:	Passport size photo
	(a) Name of the applicant(s)/ registered company/ establishment (in BLOCK LETTERS)	:	
	(b) Permanent Address	:	
	(c) Address for Communication	:	
	(d) Mobile number	:	
	(e) Email ID	:	
	(f) Aadhar number	:	
2.	Details of coastal aquaculture unit/activity: farms; nursery; seaweed culture; pen culture; raft culture; cage culture; Recirculatory Aquaculture System ; Bio-floc systems for which registration is applied for: please specify		
	(a) State	:	
	(b) District	:	

	(c) Taluk / mandal	:		
	(d) Revenue village	:		
	(e) Survey Number(s)	:		
	(f) Geo coordinates (mandatory for mariculture units)	Latitude	Longitude	
	(g) Ownership right (whether freehold or lease hold or Government assigned / allotted land/coastal public water bodies) please furnish details	:		
	(h) Validity period of lease hold / Government assigned / allotted land/coastal water bodies	From	To	
3.	Type of culture for which registration is applied for			
	(a) Farm with earthen Ponds	:		
	(b) Pens	:		
	(c) Cages	:		
	(d) Rafts	:		
	(e) Enclosures	:		
	(f) Others (specify)	:		
4.	Details of the coastal aquaculture unit/activity: farms; nursery; seaweed culture; pen culture; raft culture; cage culture; Recirculatory Aquaculture System ; Bio-floc systems			
	(a) Newly constructed	Yes / No		
	(b) Already existing / operating	Yes / No		
	(c) If , already existing/operating, details of the following: (i) Date of commencement of operations	:		
	(ii) If previously registered by Coastal Aquaculture Authority, registration number and expiry date	:		
	(d) Total area	Number	Unit area	Total area
	(1) coastal aquaculture unit: farms; nursery; Recirculatory Aquaculture System ; Bio-floc systems (hectare)			
	(2) seaweed culture: pen culture; raft culture; cage culture; Mariculture units (meter ² / meter ³)			
	(e) Water Spread Area	Number	Water spread area per unit	Total water spread area
	(1) coastal aquaculture unit: farms; nursery; Recirculatory Aquaculture System; Bio-floc systems (hectare)			
	(2) seaweed culture: pen culture; raft culture; cage culture; Mariculture units (meter ² / meter ³)			
5.	If the whole or a part of the above coastal aquaculture unit(s) falls under any one of the following categories, please furnish details			

	Category	Village	Survey Number	Extent (in hectare)
	(a) Agricultural land			
	(b) Forests land			
	(c) Land for village common purpose			
	(d) Land meant for public purpose			
	(e) Wetland			
	(f) Mangrove			
6.	Water source for the aquaculture unit			
	(a) Sea	Yes / No		
	(b) Creek/estuary/ canal/ back water	Yes / No		
	(c) If water source is as mentioned in (b) above, indicate the name of the source	:		
7.	Distances of the unit site from the following			
	(a) High tide line	:		
	(b) Nearest drinking water source	:		
	(c) Agricultural land	:		
	(d) Mangrove	:		
	(e) Marine protected area	:		
	(f) Adjacent aquaculture farm	:		
	(g) Human settlements (Indicate the population of the settlement)	:		
	(h) National parks	:		
	(i) Sanctuaries	:		
	(j) Reserve forests	:		
	(k) Breeding, spawning grounds and other aquatic life	:		
	(l) Beaches	:		
	(m) Coral reefs	:		
	(n) Heritage area	:		
8.	Species and stocking density	Species		Stocking density (Numbers per meter ² /meter ³)
	(a) Crustacean			
	(b) Mollusc			
	(c) Finfish			
	(d) Seaweed			
	(e) Any other			
9.	Details of bio-security arrangements			
	(a) Crab fencing	:		
	(b) Bird fencing	:		
	(c) Hand wash / foot bath	:		
	(d) Reservoirs	:		

	(e) Filters	:
10.	Furnish Project Report giving details with sketch (to scale) of design and layout of the aquaculture farm in operation/ proposed along with operational details, water intake and wastewater treatment facility	:
11.	If Effluent Treatment System has been in operation/ proposed, please furnish layout, design and technical details	:
12.	Whether Environment Impact Assessment/ Environment Management Plan were carried out on the environment of the aquaculture farm with reference to other land uses in its neighbourhood and based on operational details of the unit as furnished in the project report, please state specifically, whether—	:
	(a) the aquaculture activity has the effect of causing water logging of adjacent areas or polluting the drinking water source	:
	(b) by use of supplementary feeds/ medicines / drugs, etc. will consequently increase sedimentation which will be harmful to the environment	:
	(c) such activity would cause siltation, turbidity with detrimental implication on local fauna and flora	:
13.	If, Environment Impact Assessment has been done, please attach the report (Mandatory for coastal aquaculture unit /mariculture units above 10 hectare water spread area)	:
14.	If Environment Management Plan has been drawn up, please furnish details (Mandatory for coastal aquaculture unit /mariculture units above 40 hectare water spread area)	:
15.	Details of remittance of processing fee	:

Declaration

I/ We _____ son (s) / daughter (s) / wife of _____ residing _____ at _____

hereby declare that the information furnished above is true to the best of my/our knowledge and belief. The coastal aquaculture unit /mariculture operations carried out by me/ us had not neither polluted the environment nor damaged the ecology of the adjacent area. I am / we are fully aware that if it is found that the information furnished by me / us is false or there is any kind of deviation / violation of the conditions on which certificate of registration may be issued by the Authority, the certificate of registration issued may be either suspended or cancelled and liable for penal action under Coastal Aquaculture Authority Act or the rules, regulations and guidelines made thereunder.

Place:

Date:

Signature of the applicant or applicants

FORM-II

[See rules 9(1), (2)(b), 11 (1)(a), (4) and 13 (1)]

Application for registration/renewal of coastal aquaculture unit or activity referred to in clause (b) of sub-rule (2) (b) of rule 9

1	Name of the applicant (in BLOCK LETTERS)			Passport size photo
2	The application made for registration of	Nucleus Breeding Centre		Yes/No
		Broodstock Multiplication Centre		Yes/No
		Hatchery		Yes/No
		Nauplii Rearing Hatchery		Yes/No
		Live Feed (Artemia or Polychaete)		Yes/No
3	Whether applying for prior permission/ fresh registration / renewal of registration	:		
4	If applied for renewal of registration, furnish the following details of such registration:			
	(a) Coastal Aquaculture Authority registration number			
	(b) Date of registration			
	(c) Validity period	From _____ To _____		
5	Details of prior permission for construction			
6	Name of the coastal aquaculture unit			
7	Address of the coastal aquaculture unit along with PIN code			
8	Contact details			
	(a) Communication address			
	(b) Mobile number			
	(c) E mail ID			
9	Details of Board of Directors and Managing Director with copy of Memorandum of Association / Memorandum of Article			
10	Certified audited financial statement of the firm for the last three years (if applicable)			
11	The application made for registration of	Nucleus Breeding Centre		Yes / No
		Broodstock Multiplication Centre		Yes/No
12	Type of the operation (Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre)	Parent Post larvae	Post larvae	Broodstock
13	Species to be produced (Specify only one species)			
	(a) Specific Pathogen Free <i>penaeus monodon</i>	Yes / No		
	(b) Specific Pathogen Free <i>litopenaeus vannamei</i>	Yes / No		
	(c) Scampi (Specify species name)			

	(d) Marine finfish (Specify species name)		
	(e) Crab (Specify species name)		
	(f) Others(Specify species name)		
14	Ownership rights of the Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre (Government /society/public limited/ private/proprietary/partnership)		
15	Location of the Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre		
	(a) State		
	(b) District		
	(c) Taluk or mandal		
	(d) Revenue village		
	(e) Survey number		
	(f) Geo coordinates	Latitude	Longitude
16	Total extent of the Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre site (in m ²)		
17	Distance from High Tide Line (in metres)		
18	Whether owned or leased (enclose supporting documents)		
19	If on lease, specify the lease period and also attach copy of the registered lease deed.		
20	Infrastructure available (as applicable)		
	Facilities	Capacity	
	A. Seawater intake system:		
	(i) Seawater required/day		
	(ii) Number and capacity of the pump		
	(iii) Filtration system and number of pressure sand filter installed (State number of low sand filter, Rapid sand filter and cartridge filters)		
(iv) UltraViolate sterilisation (Number of lamps with total amps)			
(v) Number of storage tanks			
(vi) Capacity of each storage tank			
(vii) Number of chlorination tanks and capacity			
(viii) Number of sedimentation tanks and capacity			
B. Freshwater intake system			
(i) Pumps :			
(ii) High Density Polyethylene cement overhead tank			
C. Maturation / spawning			
(i) Number of maturation tanks			
(ii) Capacity of each tank			
(iii) Number of spawning /hatching tanks (whether cement or Fiber Reinforced Plastics, if so, details)			
(iv) Capacity of each tank			
D. Larval rearing			
(i) Number of larval rearing tanks			
(ii) Number and capacity of early larval rearing tanks			
(iii) Number and capacity post-larval rearing tanks			
E. Grow out			
(i) Number of maturation tanks			

	(ii) Capacity of each tank (iii) Number of spawning / hatching tanks (whether cement or Fiber Reinforced Plastics, if so, details) (iv) Capacity of each tank	
	F. Live Feed culture facilities (i) Number and capacity of Indoor algal culture tanks (Fiber Reinforced Plastics) (ii) Number and capacity of outdoor tanks (iii) Number and capacity of artemia hatching tanks (Fiber Reinforced Plastics)	
	G. Feed / storage facility	
	H. Common facilities (i) Number and capacity (in Kilovolt amperes) of generators (ii) Number and capacity (in Horsepower) of air blower / compressor (iii) Staff quarters (iv) Office buildings	
	I. Hatchery laboratory (i) Water analysis laboratory (ii) Microbiology laboratory (iii) Polymerase Chain Reaction laboratory (iv) Deep freezer (v) Incinerator (vi) Other laboratory facilities	
21	Source of Specific Pathogen Free shrimp post larvae for Broodstock Multiplication Centre or Broodstock for Nucleus Breeding Centre:	
	(i) Name of the overseas Specific Pathogen Free facility	
	(ii) Address of the overseas Specific Pathogen Free facility (including email ID)	
	(iii) Details of the Indian representative of the overseas supplier with mobile number and email ID	
	(iv) Details of the firm	
	(v) Country of registration	
	(vi) Location of the facility	
	(vii) Terms and conditions of agreement with the Indian firms (copy to be enclosed)	
	(viii) Details of extent of commercial supply of Specific Pathogen Free Parent Post Larvae or Broodstock	
	(ix) Details of any other multiplication centre operated in any other country	
	(x) Reproductive performance of Specific Pathogen Free Broodstock of the firm in terms of size at maturity, Latency period for maturation, Fecundity, number of spawning per female, hatching rate and Survival rate from nauplii to Post Larvae	
	(xi) Performance of Post Larvae derived from Specific Pathogen Free Broodstock of the firm in commercial culture for growth and disease	
	(xii) The performance of the Parent Post Larvae derived from Specific Pathogen Free Broodstock of the firm supplied to Broodstock Multiplication Centre (including survival rate, growth and disease-free status)	
	(xiii) attach separate sheets with complete details	
	(xiv) Copy of the Memorandum of Understating/agreement	

	indicating a firm commitment for the supply of Specific Pathogen Free Shrimp Broodstock or Parent Post Larvae as per the requirement is to be enclosed.	
22	Detailed infrastructure and personnel of overseas Specific Pathogen Free facility	
	(i) Lay-out plan of the Specific Pathogen Free facility (attach diagram with explanation)	
	(ii) Water treatment and supply	
	(iii) Rearing facilities	
	(iv) Laboratory facilities	
	(v) Biosecurity (disinfection protocol, shower room, fencing, etc.)	
	(vi) Number of technical staff and details of their expertise (Attach bio-data)	
	(vii) Financial status of last three years along with audited statement	
23	Disease surveillance at the Specific Pathogen Free facility	
	(i) List of pathogens excluded in the facility	
	(ii) Methodology followed for the diagnosis (or diagnostic protocols followed)	
	(iii) Certificate (issued by Government) of disease free nature of the facility for the last two years to be enclosed Frequency of surveillance	
	(iv) Details of the diagnostic reports during the recent surveillance from a Government authorized or World Organisation for Animal Health referral laboratory	
24	Details of Selective Breeding Programme	
	(i) Source of founder population (Number of geographic location/number of Specific Pathogen Free facilities sourced)	
	(ii) Genetic divergence of the population (Number of families from each location /each Specific Pathogen Free facility).	
	(iii) Frequency of introduction of further families in to founder population	
	(iv) Type of selection programme followed	
	(v) Number of lines and number of families maintained	
	(vi) Number of generations raised	
	(vii) Minimum effective population size over the generations	
	(viii) Traits considered for selection	
	(ix) Genetic gain over the generations	
	(x) Name and brief bio-data of the geneticist involved in drafting the breeding plan.	
	(xi) Breeding plan indicating the specific details to avoid inbreeding	
25	Details of Indian Broodstock Multiplication Centre facility	
	(i) Annual capacity proposed (Number of Broodstock (In numbers) or Parent Post Larvae (in million) per annum)	
	(ii) Requirements of Specific Pathogen Free broodstock (In numbers) or Parent Post Larvae (in million) and the frequency of import per annum	
	(iii) Number of months / years of rearing proposed	
	(iv) Survival anticipated during rearing from Parent Post Larvae to broodstock/generating the broodstock	

26	Infrastructure facilities proposed		
	(i) Land area		
	(ii) Location		
	(iii) Whether any existing facility is being remodeled as Broodstock Multiplication Centre or Nucleus Breeding Centre? If so, indicate its prior use and the present condition		
	(iv) Distance between the nearest Hatchery/farm		
	(v) Lay-out plan of the posed facility indicating the quarantine, water intake and treatment; rearing tanks under closed conditions, biosecurity features, Effluent Treatment System, etc., indicate the capacity and number of tanks (attach diagram with explanation)		
	(vi) Details of the diagnostic laboratory facility		
	(vii) Brief cost estimates and source of funding		
	(viii) Technical staff proposed to be involved in the operation of Broodstock Multiplication Centre or Nucleus Breeding Centre and their brief bio-data indicating their area of expertise		
	(ix) List of pathogens proposed to be tested in the Broodstock Multiplication Centre or Nucleus Breeding Centre and the surveillance protocol to be followed		
	(x) Sampling details		
	(xi) Frequency of sampling and testing		
	(xii) Any other particulars/details		
27	Species produced at present, if any in the Hatchery or Nauplii Rearing Hatchery or Broodstock Multiplication Centre or Nucleus Breeding Centre		
28	Installed capacity and utilisation (million / annum)		
29	Statement of anticipated annual production indicating production (million)		
	(a) Shrimp/scampi	Nauplii	
	(b) Marine finfish	Fry	
		Fingerlings	
	(c) Crab	Instars	
		Crablets	
30	Whether the following Bio-security arrangements are available in the Hatchery (i) Peripheral Fencing (ii) Physical separation of the sections (iii) Shower and Change room (iv) Vehicle dip (v) Foot bath (vi) Hand wash		
31	Give details of the Effluent Treatment System in the Hatchery complex (Number of tanks with capacity in metric ton)		
32	Details of qualified technical staff employed, their names and qualifications with contact details.		
33	Details of fees paid	Amount : Demand Draft number and date : Bank:	

Declaration

I/ We _____ son(s)/daughter(s) / wife of _____ residing _____ at_____

hereby declare that the information furnished above is true to the best of my/our knowledge and belief. I am/ we are fully aware that if it is found that the information furnished by me/us is false or there is any kind of deviation/ violation of the conditions on which certificate of registration may be issued by the Authority, the certificate of registration issued may be either suspended or cancelled and liable for penal action under Coastal Aquaculture Authority Act or the rules, regulations and guidelines made thereunder.

Place:

Date: _____ Signature of the applicant or applicants

PART-A

Declaration to be furnished by the owner of the Hatchery, Nauplii Rearing Hatchery, Live Feed Unit, Nucleus Breeding Centre and Broodstock Multiplication Centre along with Form-II

(to be signed on fifty rupees non-judicial stamp paper)

1. I/We.....aged.....son(s)
of.....and owner (s) of the million per annum installed capacity shrimp seed Hatchery located at.....Revenue village,.....Mandal /Taluk,.....District of.....(State) hereby declare that I/We have read and understood the norms for approval of coastal aquaculture hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre for bio-security and seed production of (species name) and agree to abide by the conditions laid down in Guidelines referred to in clauses (b), (c) and (f) of rule 3.
2. I/We declare that I/We have already set up/provided the physical facilities specified in the Guidelines and that I/We shall continue to provide such facilities, failing which the registration granted to me may be cancelled and liable for penal action under Coastal Aquaculture Authority Act and the rules, regulations and Guidelines made thereunder .
3. I/We hereby declare that I/We shall follow the the specific Guidelines and safeguards required for Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre for raising/producing.....(species name).
4. I/We undertake to produce in my/our Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre only seed following the specifications laid down, failing which I/We agree to the cancellation of the registration and liable for penal action under Coastal Aquaculture Authority Act and the rules, regulations and Guidelines made thereunder .
5. I/We also undertake to carryout improvements, additions, alterations or up-gradation suggested by Coastal Aquaculture Authority, failing which I/We understand that the Coastal Aquaculture Authority can cancel the registration.
6. I/We also agree to abide by any instruction that may be issued by the Coastal Aquaculture Authority from time to time regarding the operation of the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre, failing which I/We understand that the Coastal Aquaculture Authority can cancel the registration.
7. I/We also agree to inspection of the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre by any Designated officer(s) of Coastal Aquaculture Authority at anytime, without prior intimation.
8. I/We also agree to provide the production records, laboratory, analysis sheets, etc., to the Inspection team and shall submit regular reports as required by Coastal Aquaculture Authority.
9. I/We also agree to submit to Coastal Aquaculture Authority, any returns regarding production of seeds and supply to farmers and the running of the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre and maintenance of any record as may be specified By Coastal Aquaculture Authority from time to time.
10. I/We also agree to issue a quality certificate to accompany the consignment of seed shipped from any establishment (self-certification) regarding the Specific Pathogen Free status of the seed.

11. I/We also agree to settle disputes if any on the quality of the seeds with farmers with due diligence.
12. I/We also agree to conform the environmental requirements as specified in the Guidelines referred to in clauses (a), (b), (c) and (f) of rule 3 and the regulations made in this behalf by the Coastal Aquaculture Authority from time to time.
13. I/We also agree to comply with any instructions/ conditions as may be from time to time issued by the Authority
14. I/We also agree to maintain the record of inputs used in the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre like Broodstock, nauplii, feed, chemicals, probiotics, medicines and the harvest details such as production and name and address of the person to whom the produce is sold shall be maintained for every cycle and reported to the Authority.
15. I/We also agree not to use any pharmacologically active substances, antimicrobial agents or other material which may cause harm to human health as specified in the Guidelines referred to in clause (e) of rule 3.
16. I/We agree to deposit a performance bank guarantee as specified by the Authority, towards the registration of the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre.
17. I/We agree to sell the seed only to the farmers registered with the Coastal Aquaculture Authority (on production of a copy of the Registration Certificate issued by Coastal Aquaculture Authority) and permitted (copy of the permission letter issued by Coastal Aquaculture Authority) to culture such species.

Place:

Signature with address and seal

Date:

FORM-III

[See rules 18(4) and (9)]

APPLICATION FOR CERTIFICATE OF COMPLIANCE FOR AQUACULTURE INPUTS/RENEWAL

I. Applicant details		Passport size photo
1. Name of the Applicant		
2. Applicant Designation (a)Managing Director (b) Director (c)Authorised Person (enclose authorisation letter)		
3. ID Proof of the applicant (a)Aadhar (b) Driving License (c)Voter Id (d) Passport (e)Any other(specify-text box)		
4. Whether applying for fresh compliance/renewal for compliance		
5. If applied for renewal compliance, furnish the details, if any (a) Coastal Aquaculture Authority registration number (b) Date of registration (c) Validity period	From _____ To _____	
II. Details of the Firm/Company		

1. Name of the Registered company/firm	
(a) Individual	
(b) Corporate	
(c) Consortium	
(d) Others	
2. Contact details	
(a) Mobile number	
(b) Email id	
3. Address of the company/firm	
4. Address for communication	
5. Category of the company/firm	
(a) Indian own manufacturer	
(b) Indian merchant manufacturer	
(c) Distributor of overseas product	
6. Whether registered with authorised agency of Government	Yes/No
If yes, any one of the following documents to be attached	
(a) Goods and Services Tax	
(b) Micro small & medium enterprises,	
(c) Udyog Aadhar	
(d) Certificate of incorporation	
(e) Certificate of registration	
(f) Any others	
7. Do the firm/company possess any certification for the product (Applicable for both own and merchant manufacturer)	Yes/No
If yes, any one of the following documents to be attached	
(a) Department of factories	
(b) Good manufacturing practice	
(c) International Organization for Standardization	
(d) Best Aquaculture Practices	
(e) Hazard Analysis Critical Control Point	
(f) Any others	
8. For Indian own manufacturer/ Indian merchant manufacturer	
(a) Name of the Indian own manufacturer/ Indian merchant manufacturer	
(b) Address of the manufacturing unit	
(c) If applicant is Indian merchant manufacturer, please furnish copy of the agreement with manufacturing company/firm)	
9. For distributor of overseas product	
(a) Name of the overseas company/firm	
(b) Address of the overseas manufacturer	
(c) Agreement between applicant and overseas manufacturer (supporting document to be attached)	Yes/No
(d) Health Certificate/ Sanitary Certificate/ Veterinary Certificate/ Any other Antibiotic Free Certificate	Yes/No

III. Details of the product		
1. Name of the Product (same as in the label and laboratory report)		
2. Product code (if any)		
3. Category of the product		
(a) Feed additive		
(b) Probiotic		
(c) Feed- larval		
(d) Feed -adult		
(e) Chemical		
(f) Disinfectant		
(g) Immuno stimulant		
(h) Drug		
(i) Mineral mixture		
(j) Others (specify)		
4. Manufacturing Process of the Product		
(a) Whether Quality Testing laboratory facility available		Yes/No
(b) If yes, in-house laboratory facilities existing		
(i) Water and soil analysis		
(ii) Microbiology		
(iii) Feed analysis		
(iv) Enzyme Linked Immuno Absorbant Assay		
(v) Polymerase Chain Reaction /Reverse Transcription Polymerase Chain Reaction		
(vi) Liquid Chromatographic Mass Spectrometric		
(vii) Gas chromatography/mass spectrometry		
(viii) Others		
(c) Outsource testing laboratory (text box-list of the parameters tested)		
(i) Water and soil analysis		
(ii) Microbiology		
(iii) Feed analysis		
(iv) Enzyme Linked Immuno Absorbant Assay		
(v) Polymerase Chain Reaction /Reverse Transcription Polymerase Chain Reaction		
(vi) Liquid Chromatographic Mass Spectrometric		
(vii) Gas chromatography/mass spectrometry		
(viii) Others		
IV. Details of the antibiotic - free status of the product		
8. Name of the laboratory where sample analyzed		
9. Address of the laboratory		
10. Accreditation of the laboratory		
(a) National Accreditation Board for Testing and Calibration Laboratories		
(b) Export Inspection Council		
(c) Indian Council of Agricultural Research		
(d) Other Government laboratory		
11. Date of analysis of Antibiotic residue		
12. Result of the sample analysis for Antibiotic residue		

13. Analysis Method	
(a) Liquid Chromatographic Mass Spectrometric	
(b) Any Other	
14. Tamper Proof Mechanism	Yes/No

Declaration

I/We _____ (son(s)/ daughter(s)/wife _____ of _____ residing _____ at _____) hereby declare that the information furnished above is true to the best of my/our knowledge and belief. I am/ We are fully aware that if the information furnished by me/us is false or there is any kind of deviation/violation of the conditions on which the certificate of compliance to be issued by the Authority, the certificate of compliance issued will be either suspended or cancelled besides imposing penalty as per the penal provisions under Coastal Aquaculture Authority Act or the rules, regulations and Guidelines made thereunder.

Place:

Date:

Signature of the applicant(s)

FORM-IV

[See rule 12(1)(a)]

Certificate of registration of coastal aquaculture unit or activity referred to in clause (a) of sub-rule (2) of rule 9

Reg. No. Date of registration:

The **coastal aquaculture unit** of Shri/ Smt/ M/s. _____ son/daughter/wife _____ of _____ residing _____ at _____ is registered by the Coastal Aquaculture Authority *vide* No. _____ dated _____.

Details of the coastal aquaculture unit registered and technology to be followed

1. Type of coastal aquaculture unit :
(farms: nursery; seaweed culture; pen culture; raft culture; cage culture; Recirculatory Aquaculture System; Bio-floc systems)

2. Ownership right of the coastal aquaculture unit:
(Freehold/lease/Government assigned/allotted land)
3. Validity of Government assigned/allotted:
4. Location of the coastal aquaculture unit:

State	District	Taluk/Mandal	Revenue Village
-------	----------	--------------	-----------------

5. Survey Number (s) :
6. Area of the farm (in hectare)
- a) Total Farm Area :
- b) Water Spread Area :
7. Species to be cultured :

8. Stocking density (per meter²/meter³): _____
9. Number of crop(s)/ year : _____
10. Validity period of registration: From _____ to _____

Place :

Date :

Signature of the Officer
issuing the Certificate

(Seal of the Authority)

Conditions for registration of coastal aquaculture farm

1. This certificate of registration is granted subject to the provisions of the Coastal Aquaculture Authority Act, 2005, and the rules, regulations and Guidelines framed thereunder.
2. This certificate of registration is transferable by the Authority to the legal-heir or transferee of the farm for the remaining period of validity in case of freehold or own land.
3. Any change in the layout, design, area and stocking density or other matter shall have the approval of the Authority.
4. The environmental requirements shall conform to the Guidelines and the regulations issued in this behalf by the Coastal Aquaculture Authority from time to time.
5. The owner of the coastal aquaculture farm shall also comply with such other instructions/ conditions as may be from time to time issued by the Authority.
6. Record of inputs used in the farm like seed, feed, chemicals, probiotics, medicines and the harvest details such as production and name and address of the person to whom the produce is sold shall be maintained for every crop and reported to the Authority.
7. Pharmacologically active substances, antimicrobial agents or other material which may cause harm to human health as specified in rule 18 and the Guidelines referred to in clause (e) of rule 3 shall not be used in farming.

FORM-V

[See rule 12(1) (b)]

Certificate of registration of coastal aquaculture unit or activity referred to in clause (b) of sub-rule (2) of rule 9

Reg. No.

Date of issue:

The Coastal Aquaculture Authority has registered _____ (name of the Hatchery or Nauplii Rearing Hatchery or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre) located at _____ vide Registration No. _____ dated _____ for period of five financial years.

Details of the coastal aqua Hatchery registered and permitted candidate species

1. Type of facility :
(Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre)
2. Species permitted:
(Seed Production/Parent Post Larvae/Broodstock)
3. Location of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre
4. Details of the overseas supplier/Specific Pathogen Free facility for Specific Pathogen Free Parent Post larvae or broodstock
 - (a) Name of the overseas supplier/Specific Pathogen Free facility: _____
 - (b) Address of the overseas supplier/Specific Pathogen Free facility: _____

State	District	Taluk/Mandal	Revenue Village
5. Survey Number (s) :			
6. Capacity details (Number of tanks with water holding capacity)			
(a) Maturation Section : _____ Number of tanks _____ Metric ton			
(b) Larval Section: _____ Number of tanks _____ Metric ton			
(c) Live feed section: _____ Number of tanks _____ Metric ton			
(d) Effluent Treatment System: _____ Number of tanks _____ Metric ton			
7. Validity period of registration: From _____ to _____			

Place :

Signature of the Officer

Date :

issuing the Certificate

(Seal of the Authority)

Terms and conditions for registration of Hatchery, Nauplii Rearing Hatchery, Live Feed Unit, Broodstock Multiplication Centre and Nucleus Breeding Centre

1. This certificate of registration is granted subject to the provisions of the Coastal Aquaculture Authority Act, 2005 and the rules regulations and Guidelines made thereunder.
2. This certificate of registration is transferable by the Authority to the legal-heir or transferee of the farm for the remaining period of validity in case of freehold/own land.
3. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall establish/maintain the required biosecurity facilities as specified in the Guidelines referred to in clauses (b), (c) (d) and (f) of rule 3.
4. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall be managed by a qualified Manager/Technician, who is the authorised representative of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre and shall be available in the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre at all reasonable times particularly at the time of inspection by the inspection team of the Coastal Aquaculture Authority.
5. The authorised representative of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall cooperate with the inspection team of Coastal Aquaculture Authority in all respects at the time of inspection.
6. The authorised representative of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall be empowered to give statement and/ or any other information required by the inspection team of Coastal Aquaculture Authority at the time of inspection and the statement so given shall be deemed to be given by the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre owner.
7. Refusal of the authorised representative of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre to give statement and/or any other particulars to the inspection team shall render the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre to be deprived of the privilege given under this registration/Annual Allocation Order.
8. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall not allow any person or persons or other entity or authorities other than the employees of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre and the inspection team of the Coastal Aquaculture Authority shall have access to the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre without the written permission or authorisation of the Coastal Aquaculture Authority for the specific purpose for which they are authorised.
9. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre operator shall not make any alterations or additions or up gradations and improvement and put into use the facilities of the Hatchery or Nauplii Rearing Centre or Live Feed Unit or

Broodstock Multiplication Centre or Nucleus Breeding Centre other than what has been indicated in the registration certificate, without the prior approval of Coastal Aquaculture Authority and any such alteration or up gradation and improvement carried out or usage of the same without approval of Coastal Aquaculture Authority would render the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre liable to cancellation of its registration.

10. The Hatchery shall not stock broodstock in excess of the quantity allotted in the Annual Allocation Order of the relevant year.

11. The imported broodstock or procured from Broodstock Multiplication Centre shall be culled on the completion of six months from the date of the import or procurement with intimation to the Coastal Aquaculture Authority and any retention of broodstock beyond six months shall be considered as a major violation of Coastal Aquaculture Authority Guidelines.

12. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall maintain records pertaining to the number of broodstock, number of spawning, number of seed produced, inputs like feed, probiotics and incidence of disease occurrence, water quality parameters for intake and effluent discharge, records of sales, Coastal Aquaculture Authority registration number, address of farmers to whom sold, mortality, carcass disposal or any other records specified by the Coastal Aquaculture Authority from time to time and report these in their quarterly compliance report to be submitted to the Coastal Aquaculture Authority as per the format specified in the Guidelines referred to in clauses (b), (c) and (f) of rule 3.

13. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall sell only certified Specific Pathogen Free seed to the farms registered with the Coastal Aquaculture Authority or with the State Government for fresh water farms.

14. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall not use any prohibited antibiotics or pharmacologically active substances specified in rule 18 and the Guidelines referred to in clause (e) of rule 3.

15. The wastewater discharged from the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall conform to the standards for the Final Discharge Points specified in the Guidelines referred to in clause (a) of rule 3.

16. The Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre shall comply with the provisions of the Coastal Aquaculture Authority Act and the rules, regulations and Guidelines made thereunder as well as any additional conditions or safeguards that may be stipulated from time to time for the purpose of sustainable and responsible development of aquaculture.

17. Any violation of the above terms and conditions shall render the Hatchery or Nauplii Rearing Centre or Live Feed Unit or Broodstock Multiplication Centre or Nucleus Breeding Centre liable to cancellation of its registration / Annual Allocation Order, revoking of bank guarantee in addition to any penalty under the Coastal Aquaculture Authority Act and the rules, regulations and Guidelines made thereunder.

18. The registering Authority reserves the right to cancel the certificate whenever it comes to the knowledge of the Authority that the applicant has obtained the registration certificate by furnishing false information or documents or any misrepresentation or suppression of material facts.

FORM-VI

[See rule 18 (6)]

Certificate of compliance for aquaculture input

Certificate No.

Date of issue:

Certified that the following aquaculture input has complied with specified standards/ antibiotic-free status as per the documentary evidences furnished:

The details of the certified aquaculture input

1. Name of the input: _____
2. Product code: _____
3. Category of the input: _____
4. Name and Address of the company/firm: _____

5. Category of the company: _____
 (Indian own manufacturer/ Indian merchant manufacturer/
 distributor of overseas product)
6. Valid up to: _____

Place :

Authorised signatory

Date :

*(Seal of the Authority)***Conditions for certificate of compliance for aquaculture inputs**

1. This certificate of compliance is granted subject to the provisions of the Coastal Aquaculture Authority Act, 2005 and the rules, regulations and Guidelines made thereunder.
2. The certificate of compliance is not transferable.
3. This certificate of compliance is valid for the product certified only.
4. The certificate is valid for five years and can be renewed for a similar period, if complied with antibiotic-free status.
5. The certified aquaculture input shall conform to the regulations of the Coastal Aquaculture Authority and the Guidelines referred to in clause (e) of rule 3.
6. The certified aquaculture input shall not contain pharmacologically active substances, antimicrobial agents or other material which may cause harm to human health as specified in rule 18 and the Guidelines referred to in clause (e) of rule 3.
7. The Inspection Committee shall randomly inspect the storage or manufacturing facilities of the manufacturers or importers, as the case may be, for conforming the compliance without any prior notice.
8. Periodical random sampling of the product from the market shall be done by the taskforce or the designated officer of the Coastal Aquaculture Authority.
9. In case any pharmacologically active substances, antimicrobial agents or other material which may cause harm to human health is found in the product, the certificate of compliance shall be suspended or cancelled and delisted from the list of certified aquaculture inputs in addition to any penalty as may be imposed under section 14 of the Coastal Aquaculture Authority Act and the rules, regulations and Guidelines made thereunder.

[F. No. j-1903336/4/2021-Fy (E-19119)]

NEETU KUMARI PRASAD, Joint Secretary

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ
(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀಲ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-35

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂಖ್ಯಾಂಶ 02 ಕೇನೆಪ್ 2024

ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 15.01.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ಲಿಂಗ್ಲೆ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Central Electricity Authority (Terms and
Conditions of Service of Chairperson and other Members) Rules, 2024ರ Notification-GSR
44(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF POWER

NOTIFICATION

New Delhi the 15th January, 2024

G.S.R. 44(E). —In exercise of the powers conferred by clauses (g) and (h) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003), and in supersession of the Central Electricity Authority (Terms and Conditions of Service of Chairperson and other Members) Rules, 2005, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules regulating the terms and conditions of service of Chairperson and Members and allowances and fees payable to other members namely:-

- 1. Short title and commencement.** —(1) These rules may be called the Central Electricity Authority (Terms and Conditions of Service of Chairperson and other Members) Rules, 2024.
(2) They shall come into force on the date of their publication in the Official Gazette.
- 2. Definitions.** —(1) In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Electricity Act, 2003 (36 of 2003);
 - (b) "Authority" means the Central Electricity Authority established under section 70 of the Act;
 - (c) "Chairperson" means the Chairperson of the Authority;
 - (d) "Member" means a full-time Member of the Authority, including the Chairperson;
 - (e) "other Member" means a Member other than a full-time Member.
(2) All other words and expressions used herein but not defined shall have the same meanings respectively assigned to them in the Act.
- 3. Composition of Authority.** —(1) Subject to the provisions contained in sub-section (5) of section 70 of the Act, the Authority shall consist of the following Members, namely:-
 - (a) Chairperson;
 - (b) Member (Economic and Commercial);
 - (c) Member (Grid Operations and Distribution);
 - (d) Member (Hydro);
 - (e) Member (Planning);
 - (f) Member (Power Systems);
 - (g) Member (Thermal);
 - (h) Member (Renewable Energy).

(2) The Chairperson and Members shall be appointed on deputation (including short-term contract), subject to the provisions of rule 4.

4. Eligibility and term and conditions and service of Chairperson and Members. – (1) The eligibility conditions for the post of Chairperson and Members are specified below:

(a) Chairperson:

Officers of the Central Government or State Government or Union territories or autonomous or statutory organisation or Public Sector Undertakings or University or Recognized Research Institution,-

- (A) (i) holding analogous post on regular basis; or
- (ii) holding post in Level-16 with minimum one year of regular service in the grade; or
- (iii) holding post in Level-15 with two years of regular service in the grade; or
- (iv) holding post in Level-14 with five years of regular service in the grade; and

(B) possessing three years' field experience in the relevant field as provided in sub-section (5) of section 70 of the Act.

(b) Member:

Officers of the Central Government or State Government or Union territories or autonomous or statutory organisation or Public Sector Undertakings or University or Recognized Research Institution;

- (A) (i) holding analogous post on regular basis; or
- (ii) holding post in Level-14 with five years of regular service in the grade; and
- (B) possessing three years' field experience in the relevant field as provided in sub-section (5) of section 70 of the Act.

Explanation. - For the purposes of this sub-rule, the expression "relevant field" means the fields as prescribed in sub-section (5) of section 70 of the Act:

(2) Subject to the provisions of sub-section (6) of section 70 of the Act, the Chairperson, or as the case may be, a Member shall hold office for a period not exceeding five years or till he attains the age of superannuation:

Provided that where the prescribed term of office of the Chairperson or a Member as provided in sub-rule (2) expires before he attains the age of superannuation, the Central Government may extend the term of office of such Chairperson or Member for a further period not exceeding the date of his superannuation. The maximum period of deputation including extension, if any, shall be seven years.

- (3) A person shall cease to be the Chairperson or a Member of the Authority, if he –
- (i) remains absent, without the prior permission of the Authority, from three consecutive meetings of the Authority; or
- (ii) having been appointed on deputation, ceases to be in service of the Central Government or the State Government or any other lending authority; or
- (iii) has been convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government, involves moral turpitude; or
- (iv) is an un-discharged insolvent.

5. Age limit. –The maximum age limit for being appointed as the Chairperson or a Member shall be not exceeding fifty-eight years:-

- (i) as on the closing date of receipt of applications for unanticipated vacancy, and
- (ii) as on date on which vacancy is expected to arise in case of anticipated vacancy.

6. Resignation/repatriation to parent cadre. –(1) The Chairperson may resign from his office by giving notice of at least three months in writing to the Central Government and on such resignation being accepted, he shall be deemed to have vacated his office.

(2) A Member may resign from his office after giving notice of at least three months in writing to the Chairperson who shall forward the same to the Central Government and on such resignation being accepted, he shall be deemed to have vacated his office.

(3) If, a situation arises for repatriation of the Chairperson and Member to the parent cadre, his services will be returned after giving notice of at least three months in writing to the lending Ministry or Department or organisation and the employee concerned.

7. Pay, allowances and other terms and conditions of service of Members.-

(1) The Chairperson shall enjoy the status of ex-officio, Secretary to the Government of India and shall carry the same pay and allowances as available to the Secretary to that Government.

(2) A Member shall enjoy the status of ex-officio, Additional Secretary to the Government of India and shall carry the same pay and allowances as available to the Additional Secretary to that Government.

(3) The other terms and conditions of service of Chairperson and Members, like entitlement of leave, leave salary, leave travel concession, travelling allowance, medical benefits, etc., shall be as applicable to the Central Government officers of corresponding status.

(4) The pension and leave salary contribution of the Chairperson and Member, shall be paid by the Authority to the respective lending authority in accordance with their rules.

8. Allowances and fees payable to other Members. - The other Members shall receive such allowances and fees for attending the meetings of the Authority as may be determined by the Central Government.

9. Power to relax. – Where the Central Government is of the opinion that it is necessary or expedient so to do, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

[F. No. A-35018/09/2019-Adm.I]

PIYUSH SINGH, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-36

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂಖ್ಯಾಂಶ 03 ಕೇನಿಪ್ಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 23.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-
Section-3 Sub Section (ii)ರಲ್ಲಿ ಪ್ರಕಟಿತವಾದ the Bharatiya Nagarik Suraksha Sanhita, 2023
(46 of 2023) ರ ನಿರ್ಣಯ ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ
ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HOME AFFAIRS**NOTIFICATION**

New Delhi, the 23rd February, 2024

S.O. 848(E).—In exercise of the powers conferred by sub-section (3) of section 1 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (46 of 2023), the Central Government hereby appoints the 1st day of July, 2024 as the date on which the provisions of the said Sanhita, except the provisions of the entry relating to section 106(2) of the Bharatiya Nyaya Sanhita, 2023, in the First Schedule, shall come into force.

[F. No. 1/3/2023-Judicial Cell-I]

SHRI PRAKASH, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀಲ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-37

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂಖ್ಯಾಂಶ 04 ಕೇನಿಪ್ಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 23.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (ii)ರಲ್ಲಿ ಪ್ರಕಟಿಸಾದ the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023) ರ Notification-SO 849(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HOME AFFAIRS**NOTIFICATION**

New Delhi, the 23rd February, 2024

S.O. 849(E).— In exercise of the powers conferred by sub-section (3) of section 1 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023), the Central Government hereby appoints the 1st day of July, 2024 as the date on which the provisions of the said Adhiniyam, shall come into force.

[F. No. 1/3/2023-Judicial Cell-I]

SHRI PRAKASH, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-38

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜ 05 ಕೇಷಾಪ್ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 12.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024 (NO. 1 OF 2024) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



भारत का राजपत्र

The Gazette of India

सी.जी.-डी.एल.-आई-13022024-252006
CG-DL-E-13022024-252006

असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं 1] नई दिल्ली, सोमवार, फरवरी 12, 2024/ माघ 23, 1945 (शक)
No. 1] NEW DELHI, MONDAY, FEBRUARY 12, 2024/MAGHA 23, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th February, 2024/Magha 23, 1945 (Saka)

The following Act of Parliament received the assent of the President on the 12th February, 2024 and is hereby published for general information:—

THE PUBLIC EXAMINATIONS (PREVENTION OF UNFAIR MEANS) ACT, 2024

No. 1 OF 2024

[12th February, 2024.]

An Act to prevent unfair means in the public examinations and to provide for matters connected therewith or incidental thereto.

Be it enacted by Parliament in the Seventy-fifth Year of the Republic of India as follows:—

CHAPTER I PRELIMINARY

1. (1) This Act may be called the Public Examinations (Prevention of Unfair Means) Act, 2024.

Short title and commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

Definitions.

2. (I) In this Act, unless the context otherwise requires,—

(a) “candidate” means a person who has been granted permission by the public examination authority to appear in public examination and includes a person authorised to act as a scribe on his behalf in the public examination;

(b) “communication device” shall have the same meaning assigned to it in clause (ha) of sub-section (I) of section 2 of the Information Technology Act, 2000;

(c) “competent authority” shall mean the Ministry or a Department of the Central Government administratively concerned with the public examination authority;

(d) “computer network”, “computer resource” and “computer system” shall have the meanings respectively assigned to them in clauses (j), (k) and (l) of sub-section (I) of section 2 of the Information Technology Act, 2000;

(e) “conduct of public examination” shall include all the procedures, processes and activities, as may be prescribed, for being adopted for the conduct of public examination;

(f) “institution” means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, by whatever name it may be called, which is other than the public examination authority and the service provider engaged by such authority.

*Explanation.—*For the purposes of this clause, it is clarified that “company” includes a company as defined in clause (20) of section 2 of the Companies Act, 2013; or a limited liability partnership firm as defined in clause (n) of sub-section (I) of section 2 of the Limited Liability Partnership Act, 2008;

(g) “notification” means a notification published in the Official Gazette and the expression “notify” shall be construed accordingly;

(h) “organised crime” means an unlawful activity committed by a person or a group of persons indulging in unfair means in collusion and conspiracy to pursue or promote a shared interest for wrongful gain in respect of a public examination;

(i) “person associated with a service provider” means a person who performs services for or on behalf of such service provider irrespective of whether such person is an employee or an agent or a subsidiary of such service provider, as the case may be;

(j) “prescribed” means prescribed by rules made under this Act;

(k) “public examination” means any examination conducted by the public examination authority, as specified in the Schedule, or conducted by such other authority as may be notified by the Central Government;

(l) “public examination authority” means an authority as specified by the Central Government by a notification, from time to time for conducting the public examinations;

(m) “public examination centre” means such premises, which is selected by the service provider or otherwise selected by the public examination authority, to be used for conduct of public examination and which, amongst others, may include any school, computer centre, institution, any building or part thereof and the same shall include the entire periphery and land appurtenant thereto which may be used for security and other related reasons for conduct of the public examinations; and

21 of 2000.

21 of 2000.

18 of 2013.

7 of 2009.

(n) "service provider" means any agency, organisation, body, association of persons, business entity, company, partnership or single proprietorship firm, including its associates, sub-contractors and provider of support of any computer resource or any material, by whatever name it may be called, which is engaged by the public examination authority for conduct of public examination.

(2) Words and expressions used herein but not defined and defined under any other law for the time being in force, shall have the same meanings as assigned to them in those laws.

CHAPTER II

UNFAIR MEANS AND OFFENCES

3. The unfair means relating to the conduct of a public examination shall include any act or omission done or caused to be done by any person or group of persons or institutions, and include but not be restricted to, any of the following acts for monetary or wrongful gain—

Unfair means.

- (i) leakage of question paper or answer key or part thereof;
- (ii) participating in collusion with others to effect leakage of question paper or answer key;
- (iii) accessing or taking possession of question paper or an Optical Mark Recognition response sheet without authority;
- (iv) providing solution to one or more questions by any unauthorised person during a public examination;
- (v) directly or indirectly assisting the candidate in any manner unauthorisedly in the public examination;
- (vi) tampering with answer sheets including Optical Mark Recognition response sheets;
- (vii) altering the assessment except to correct a *bona fide* error without any authority;
- (viii) willful violation of norms or standards set up by the Central Government for conduct of a public examination on its own or through its agency;
- (ix) tampering with any document necessary for short-listing of candidates or finalising the merit or rank of a candidate in a public examination;
- (x) deliberate violation of security measures to facilitate unfair means in conduct of a public examination;
- (xi) tampering with the computer network or a computer resource or a computer system;
- (xii) manipulation in seating arrangements, allocation of dates and shifts for the candidates to facilitate adopting unfair means in examinations;
- (xiii) threatening the life, liberty or wrongfully restraining persons associated with the public examination authority or the service provider or any authorised agency of the Government; or obstructing the conduct of a public examination;
- (xiv) creation of fake website to cheat or for monetary gain; and
- (xv) conduct of fake examination, issuance of fake admit cards or offer letters to cheat or for monetary gain.

Conspiracy for unfair means.

Disruption to conduct public examination.

Other offences.

No premises other than examination centre shall be used for public examination.

Offences in respect of service providers and other persons.

4. No person or group of persons or institutions shall collude or conspire to facilitate indulgence in any such unfair means.

5. (1) No person, who is not entrusted or engaged with the work pertaining to the public examination or conduct of public examination or who is not a candidate, shall enter the premises of the examination centre, with intent to disrupt the conduct of the public examination.

(2) No person authorised, engaged or entrusted with the duties to conduct public examination shall, before the time fixed for opening and distribution of question papers—

(a) open, leak or possess or access or solve or seek assistance to solve such question paper or any portion or a copy thereof in unauthorised manner for monetary or wrongful gain;

(b) give any confidential information or promise to give such confidential information to any person, where such confidential information is related to or in reference to such question paper for monetary or wrongful gain.

(3) No person, who is entrusted or engaged with any work pertaining to public examination shall, except where he is authorised in furtherance of his duties so to do, reveal or cause to be revealed or make known to any other person any information or part thereof which has come to his knowledge for any undue advantage or wrongful gain.

6. If any person or group of persons or institution commits any unfair means or offence under sections 3, 4 and section 5, the service provider shall forthwith report the offence to the concerned police authorities and also inform the public examination authority:

Provided that if the service provider resorts to unfair means and commits the offence or is involved in facilitating an offence, the public examination authority shall report the same to the concerned police authorities.

7. It shall be an offence for the service provider or any person associated with the service provider to cause any premises, other than the examination centre, authorised by the public examination authority, to be alternatively used for the purpose of holding public examination, without the written approval of the public examination authority:

Provided that nothing contained in this section shall be an offence where any change in the examination centre without prior consent of the public examination authority is due to any *force majeure*.

8. (1) Any person, including the person associated with a service provider, shall be deemed to have committed an offence if he individually or in collusion with any other person or group of persons or institutions assists any person or group of persons or institutions in any manner unauthorisedly in the conduct of public examination.

(2) Service provider or any person associated with it shall be deemed to have committed an offence if he fails to report incidence of any unfair means or commission of any offence.

(3) Where an offence committed by a service provider is, *prima facie*, established during investigation to have been committed with the consent or connivance of any director, manager, secretary or other officer of such service provider, such person shall also be liable to be proceeded against:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

CHAPTER III

PUNISHMENT FOR OFFENCES

9. All offences under this Act, shall be cognizable, non-bailable and non-compoundable.

Cognizable offences.

10. (1) Any person or persons resorting to unfair means and offences under this Act, shall be punished with imprisonment for a term not less than three years but which may extend to five years and with fine up to ten lakh rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed, as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Punishment for offences under this Act.

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) The service provider shall also be liable to be punished with imposition of a fine up to one crore rupees and proportionate cost of examination shall also be recovered from such service provider and he shall also be barred from being assigned with any responsibility for the conduct of any public examination for a period of four years.

(3) Where it is established during the investigation that offence under this Act has been committed with the consent or connivance of any Director, Senior Management or the persons in-charge of the service provider firm, he shall be liable for imprisonment for a term not less than three years but which may extend to ten years and with fine of one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

45 of 2023.
45 of 1860.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(4) Nothing contained in this section shall render any such person liable to any punishment under the Act, if he proves, that the offence was committed without his knowledge and that he exercised all due diligence to prevent the commission of such offence.

45 of 2023.

45 of 2023.
45 of 1860.

11. (1) If a person or a group of persons including the examination authority or service provider or any other institution commits an organised crime, he shall be punished with imprisonment for a term not less than five years but which may extend to ten years and with fine which shall not be less than one crore rupees. In case of default of payment of fine, an additional punishment of imprisonment shall be imposed as per the provisions of the Bharatiya Nyaya Sanhita, 2023:

Organised crimes.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

(2) If an institution is involved in committing an organised crime, its property shall be subjected to attachment and forfeiture and proportionate cost of examination shall also be recovered from it.

CHAPTER IV

INQUIRY AND INVESTIGATION

12. (1) An officer not below the rank of Deputy Superintendent of Police or Assistant Commissioner of Police shall investigate any offence under this Act.

Officers empowered to investigate.

(2) Notwithstanding anything contained in sub-section (1), the Central Government shall have the powers to refer the investigation to any Central Investigating Agency.

CHAPTER V

MISCELLANEOUS

Members,
officers and
employees of
public
examination
authority to be
public
servants.

Protection of
action taken in
good faith by
any public
servant.

Provisions of
this Act to be
in addition to
other laws.

Power to make
rules.

Laying of
rules.

Power to
remove
difficulties.

13. The Chairperson, Members, officers and other employees of the public examination authority shall be deemed, when acting or purporting to act in pursuance of any of the provisions of this Act, to be public servants within the meaning of the Bharatiya Nyaya Sanhita, 2023:

45 of 2023.

Provided that until the Bharatiya Nyaya Sanhita, 2023 is brought into force, the provisions of the Indian Penal Code, shall be applicable in place of the said Act.

45 of 2023.

45 of 1860.

14. No suit, prosecution or other legal proceedings under this Act, shall lie against any public servant, in respect of anything which is done in good faith or intended to be done in the discharge of his official functions or in exercise of his powers:

Provided that the public servants in the service of any public examination authority shall be subject to administrative action in terms of service rules of such public examination authority:

Provided further that nothing shall prevent proceeding against such public servants where, *prima facie* case exists for establishing commission of an offence under this Act.

15. The provisions of this Act shall be in addition to, and not in derogation of, any other law for the time being in force:

Provided that the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law for the time being in force or any instrument having effect by virtue of any such law in force.

16. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

(a) to lay down procedures, processes and activities for being adopted for conduct of the public examination;

(b) any other matter which is to be or may be prescribed.

17. Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session, immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule, or both Houses agree that the rule should not be made, the rule shall, thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

18. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order, published in the Official Gazette, make such provisions within three years, not inconsistent with the provisions of this Act, as appear to it to be necessary for removal of difficulty.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

CHAPTER VI

AMENDMENT TO THE CRIMINAL LAW (AMENDMENT) ORDINANCE, 1944

19. In the Criminal Law (Amendment) Ordinance, 1944, in the Schedule, after serial number 5 and entries relating thereto, the following serial number and entries shall be inserted, namely:—

"6. An offence punishable under the Public Examinations (Prevention of Unfair Means) Act, 2024.".

Amendment of
Ordinance 38 of
1944.

THE SCHEDULE

[See section 2 (k)]

ANY EXAMINATION CONDUCTED BY—

1. Union Public Service Commission.
2. Staff Selection Commission.
3. Railway Recruitment Boards.
4. Institute of Banking Personnel Selection.
5. Ministries or Departments of the Central Government and their attached and subordinate offices for recruitment of staff.
6. National Testing Agency.
7. Such other authority as may be notified by the Central Government.

DR. RAJIV MANI,
Secretary to the Govt. of India.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿರ್ಮಿತ್ತ

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-39

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳ ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಾತಾಜ 06 ಕೇನಿಪ್ಪ 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 21.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ಲಿಂಗೇಷನ್ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Amendment Rules, 2024ರ Notification-GSR 119(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health Research)

NOTIFICATION

New Delhi, the 21st February, 2024

G.S.R. 119(E).—In exercise of the powers conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Central Government hereby makes the following rules further to amend the Surrogacy (Regulation) Rules, 2022, namely:-

1. (1) These rules may be called the Surrogacy (Regulation) Amendment Rules, 2024.
(2) They shall come into force on the date of their publication in Official Gazette.
2. In the Surrogacy (Regulation) Rules, 2022, in Form 2, in paragraph 1, for sub-paragraph (d), the following shall be substituted namely:-

“1(d)(i) couple undergoing surrogacy must have both gamete from the intending couple. However, in case when the District Medical Board certifies that either husband or wife constituting the intending couple suffers from medical condition necessitating use of donor gamete then surrogacy using donor gamete is allowed subject to the condition that the child to be born through surrogacy must have atleast one gamete from the intending couple;

(ii) single woman (widow or divorcee) undergoing surrogacy must use self eggs and donor sperms to avail surrogacy procedure;”.

[F. No. U.11019/15/2022-HR (Part-II)]

RICHA KHODA, Jt. Secy.

Note.- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) *vide* number G.S.R. 460 (E), dated the 21st June, 2022 and subsequently amended *vide* numbers G.S.R. 772 (E), dated the 10th October, 2022, G.S.R. 179 (E), dated the 14th March, 2023, G.S.R. 415 (E), dated the 8th June, 2023 and G.S.R. 494 (E), dated the 11th July, 2023.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ

ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಡಿ.ಬಿ. ಜನಾರ್ಥನ)

ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನೀಯಿತ್ತು

ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀಲ

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು

ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-40

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂಖ್ಯಾಂಶ 07 ಕೇನಿಪ್ಪು 2024

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 06.03.2024.

ದಿನಾಂಕ: 23.02.2024 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the 'Scheduled Specimen (Conditions and Procedure for exemption), Rules, 2024'ರ Notification-GSR 130(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF ENVIRONMENT, FOREST AND CLIMATE CHANGE
NOTIFICATION

New Delhi, the 23rd February, 2024

G.S.R. 130(E).—In exercise of the powers conferred by clause (jii) of sub-section (1) of Section 63 of the Wild Life (Protection) Act, 1972 (53 of 1972), read with sub-section (2) of Section 49 H, the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the ‘Scheduled Specimen (Conditions and Procedure for exemption), Rules, 2024’.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definition.—(1) In these rules, unless the context otherwise requires,—

- (a) “Act” means the Wild Life (Protection) Act, 1972 (53 of 1972);
 - (b) “ATA carnet” means an International uniform Customs document issued under ATA Convention;
 - (c) “ATA Convention” means the Customs Convention on ATA Carnet for temporary Admission of Goods;
 - (d) “Appendix” means an Appendix specified under Schedule IV appended to the Act;
 - (e) “Form” means form annexed to these rules;
 - (f) “Management Authority” means the authority designated under section 49E of the Act;
 - (g) “owner” means the owner of a specimen and includes any person in possession of such specimen;
 - (h) “Permit” means a permit or certificate issued under the Convention;
 - (i) “personal or household effects” means specimens that are personally owned for non-commercial purposes and at the time of import, export or re-export either worn, carried or included in personal baggage; or part of a household move and does not include rhino horn and elephant ivory contained in hunting trophies;
 - (j) “sample collection” means collection of dead specimen, parts and derivatives thereof specified in Appendix II or III and species specified in Appendix I relating to bred in captivity or artificially propagated for commercial purposes;
- (2) The words and expressions used herein and not defined but defined in the Act shall have the meanings, respectively assigned to them in the Act.

3. Exemptions for specimens under transit or transhipments.—(1) The specimens shall not require export or re-export permit when the specimen are in transit or transhipment through or in the territory of India while the specimens remain in the control of the Customs Department.

(2) The specimen shall be accompanied with the copy of export or re-export permit issued by the country of export or re-export, as the case may be.

(3) In the case of a sample collection,—

- (a) the permit must clearly show the destination of the shipment, which shall be the country of issuance;
- (b) the cross-border movements of sample collection of specimens covered under the ATA Convention shall be accompanied by a standard permit issued under the Convention, on which it shall be indicated that the document is a permit for export, re-export and, it shall clearly specify that the document is issued for a sample collection;
- (c) the permit shall specify that it covers a sample collection and is invalid unless accompanied by a valid ATA carnet;
- (d) the specimen covered by the permit shall not be sold or otherwise transferred whilst outside the territory of the State that issued the permit;
- (e) the number of accompanying ATA carnet shall be recorded and entered by the Customs responsible for the endorsement of the Customs document;

- (f) the name and address including the country of the importer and the exporter or re-exporter shall be the same in the permit and the ATA carnet, and the names of the countries to be visited shall be indicated;
 - (g) the date of expiry the permit shall not be later than that of the ATA carnet accompanying it and the period of validity shall not be more than six months from the date on which it was granted;
 - (h) the Customs shall, at the point of entry or exit, verify the presence of the permit issued under the Convention and allow it to remain with the collection, and ensure that the ATA carnet is properly endorsed with an authorised stamp and signature by a Customs official.
- (4) The consignee shall on demand by the Management Authority or authorised officer or the officers of the Customs produce the permit to verify the presence of a valid permit.

4. Application for pre-convention certificate.—(1) Any person intending to export or re-export a specimen acquired prior to the commencement of the Wild Life (Protection) Amendment Act, 2022 shall make an application electronically to the Management Authority in Form I accompanied with a fee of one thousand rupees.

(2) Every application shall be accompanied with the legal procurement certificate, issued by an officer not below the rank of the Deputy Conservator of Forests having jurisdiction over the area, in Form II.

(3) The Management Authority or the authorised officer shall, if on verification finds that the date on which the specimen of the species was—

- i. removed from the wild; or
- ii. born in captivity or artificially propagated in a controlled environment; or
- iii. if such date is unknown or cannot be ascertained, the date on which the specimen was acquired shall be the date on which it was first possessed by the applicant,

is prior to the date on which the species concerned was first included in the Appendices, issue a certificate in Form III.

5. Exemptions for personal or household effects.—(1) Any person, who is a citizen of India and has acquired a specimen within India which is a personal or household effect shall apply in Form IV to the Management Authority or the authorised officer for registration of the specimen as personal or household effect.

(2) The application under sub-rule (1) shall be accompanied with the legal procurement certificate issued by an officer not below the rank of the Deputy Conservator of Forests having jurisdiction over the area in Form II and a fee of one thousand rupees.

(3) The Management Authority or the authorised officer shall issue a certificate of registration in Form V of the specimen as personal or household effect.

(4) If any person intends to export any of the following species as personal or household effect, it shall accompany a certificate to that effect issued by an agency authorised by the Management Authority or authorised officer, namely:—

- (a) caviar of sturgeon species (*Acipenseriformes* spp.) not exceeding one hundred and twenty five grams per person carried in a container labelled in accordance with the Convention;
- (b) rain sticks of *Cactaceae* species not exceeding three specimens per person;
- (c) specimens of agarwood not exceeding one kg of wood chips, twenty four ml of oil and two sets of beads or prayer beads (or two necklaces or bracelets) per person

(5) Any owner who has acquired the specimen in his country of citizenship shall be allowed import of such specimen without the export permit issued by the country of export if the specimen is accompanied by a certificate issued by the Management Authority of the country of export mentioning the specimen as a personal or household effect of the importer.

6. Specimen of Appendix I bred in captivity to be treated as that of Appendix II.—(1) Every owner of the specimen of the species listed in Appendix I and bred in captivity for commercial purposes shall apply in Form VI for seeking exemption under Article VII of the Convention for export purpose.

(2) The application under sub-rule (1) shall be accompanied with the legal procurement certificate issued by an officer not below the rank of the Deputy Conservator of Forests having jurisdiction over the area in Form II and a fee of one thousand rupees.

- (3) The application under sub-rule (1) shall be accompanied with a proof that—

- (a) the facility is licenced in accordance with the rules made under the Act;
- (b) the facility is registered with the Secretariat of the Convention; and
- (c) the specimen to be exported carry a certificate of registration in accordance with rules made under the Act.

(4) The Management Authority may if the application is found to be in order, seek advice of the Scientific Authority, within a period of fifteen days.

(5) The Scientific Authority shall after making such inquiry and examination as it may consider necessary, advice to the Management Authority.

(6) The Management Authority upon receipt of advice of the Scientific Authority shall issue the permit for export or re-export within a period of fifteen days.

(7) The owner of the specimen of the Species listed in Appendix I of the Schedule IV and bred in captivity for commercial purposes who intends to seek exemption from the requirement of import permit shall require an export or re-export permit or certificate issued by the Management Authority of the country of export or re-export as the case may be with source code 'D'.

7. Acceptance of certificate in lieu of permits or certificates.—(1) In case of import of the specimen of a species listed in the Appendices, a certificate from the Management Authority of the country of export that any specimen of an animal species was bred in captivity or any specimen of a plant species was artificially propagated, or is a part of such an animal or plant or was derived therefrom with source code 'C' in case of animals and with source code 'A' in case of plants, shall be accepted in lieu of any other permits or certificates required under the Act.

(2) The trade in a specimen bred in captivity in Appendix I specimen shall be permitted only if it is marked in accordance with the provisions on marking in the Resolutions of the Convention and if the type and number of the mark are indicated on the document authorising the trade.

8. Non-commercial loan, donation or exchange between scientist, scientific institution.—(1) Any scientist or a scientific institution who intends to export herbarium specimens, other preserved, dried or embedded museum specimens, and live plant materials of species listed in Appendices as non-commercial loan, donation or exchange with scientist or a scientific institution registered with the Management Authority of the country of destination and seeking exemption regarding permit or certificate shall make an application for registration to the Management Authority for registration in Form VII.

(2) The application under sub-rule (1) shall be accompanied with the legal procurement certificate issued by the Deputy Conservator of Forests having jurisdiction over the area in Form II and a fee of one thousand rupees.

(3) The Management Authority upon being satisfied shall register the scientist or the scientific institution and issue a label mark to be affixed on the specimen or its package of the scientist or the scientific institution and the label in Form VIII.

(4) The Management Authority shall assign five-character code identifying registered institutions with the first two characters as 'IN' and the last three characters should be a unique number.

(5) The scientist or scientific institution may upon registration and issuance of the label mark as per sub-rule (3) shall be authorised to affix the label upon the specimen or its package before export.

(6) Any scientist or scientific institution seeking exemption from the requirement of permit and intending to import herbarium specimens, other preserved, dried or embedded museum specimens, and live plant material of the species listed in Appendices as a non-commercial loan, donation or exchange from scientist or scientific institution registered by a Management Authority of the country of export shall carry a label issued or approved by the Management Authority of that country.

9. Standards for registration of scientific institutions.—(1) Every scientist and scientific institution registered under rule 8 shall comply with the following standards namely:-

- (a) collections of animal or plant specimens, and records ancillary to them, permanently housed and professionally curated have been properly maintained;
- (b) specimens accessible to all qualified users, including those from other institutions have been recorded separately;
- (c) all accessions have been properly recorded in a permanent catalogue;
- (d) permanent records have been maintained for loans and transfers to other institutions;

- (e) specimens acquired primarily for purposes of research have been reported in scientific publications;
 - (f) specimens have been prepared and collections have been arranged in a manner that ensures their utility;
 - (g) accurate data have been maintained on specimen labels, permanent catalogues and other records;
 - (h) acquisition and possession of specimens have been in accordance with the laws governing such acquisition and possession; and
 - (i) all specimens of species included in Appendix I have been permanently and centrally housed under the direct control of the scientific institution, and managed in a manner to preclude the use of such specimens for decoration, trophies or other purposes incompatible with the principles of the Convention.
- (2) In case of any institution engaged in forensic research, shall, in addition to the standards under sub-rule (1), comply with the following, namely:—
- (a) the Management Authority shall ensure that such institutions are suitable to provide wildlife forensic analysis;
 - (b) animal or plant specimens acquired primarily for purposes of research, to expand forensic research capabilities through development of wildlife reference databases, have been properly recorded in a permanent catalogue;
 - (c) permanent records contain information about loans and transfers to other institutions and the purpose of the transaction;
 - (d) every institution shall make reference to its quality management system used for research conducted; and
 - (e) accurate data, for example scientific name, weight, geographical origin, source code, purpose and result of research, have been recorded in the permanent catalogue, and specimens have been accurately and adequately labelled.

10. Registration of specimens in a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition.—(1) Any authorised person of a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition having specimen acquired prior to the commencement of the Wild Life (Protection) Amendment Act, 2022 shall apply for registration in Form IX of the such travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition.

(2) The application under sub-rule (1) shall be accompanied with the legal procurement certificate issued by of the Deputy Conservator of Forests having jurisdiction over the area in Form II and a fee of one thousand rupees.

(3) The Management Authority or the authorised officer shall issue a registration certificate in Form X if the Management Authority is satisfied that -

- (a) such specimen is in accordance with section 49 M of the Act and rules made thereunder in case of live animals;
- (b) any living specimen will be so transported and cared for as to minimize the risk of injury, damage to health or treatment in compliance with the provisions of the Prevention of Cruelty to Animals Act, 1960 (59 of 1960).

(4) Such specimens which are part of travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition registered with the Management Authority may be exported without an export or re-export permit.

11. Verification with country of import.—The applicant shall, before export or re-export from India, check with potential importers or with the Management Authority of the intended country of destination whether such country shall accept the certificate issued under these Rules for import.

Form I
[See sub-rules (1) and (3) of Rule 4]

Form I		
Form for Application for Pre-Convention Certificate		
General information (mandatory for all cases):		
1.	(a) Name of the applicant	
	(b) Aadhar number of applicant	
	(c) Import Export Code	
2.	Permanent Address of the applicant	
3.	Present Address of the applicant	
4.	Purpose of the application (Please tick mark)	Export / Import / Re-export / Introduction from the Sea

	whichever is applicable)																																																										
5.	Source of specimen																																																										
6.	Purpose of Export / Import / Re-export / Introduction from the Sea																																																										
7.	Details of fee paid																																																										
	(a) Transaction number / D.D. no																																																										
	(b) Amount paid																																																										
8.	Details of Specimen																																																										
<table border="1"> <thead> <tr> <th>Common Name</th> <th>Scientific name</th> <th>Number /quantity of specimens</th> <th>Age /sapling /tree</th> <th>Sex</th> <th>ITC HS Code</th> </tr> </thead> <tbody> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> <tr><td></td><td></td><td></td><td></td><td></td><td></td></tr> </tbody> </table>						Common Name	Scientific name	Number /quantity of specimens	Age /sapling /tree	Sex	ITC HS Code																																																
Common Name	Scientific name	Number /quantity of specimens	Age /sapling /tree	Sex	ITC HS Code																																																						
9.	Name of the Consignee																																																										
10.	Address of the Consignee																																																										
12.	Legal Procurement Certificate Number, Date, Place, and Name of issuing Authority																																																										
13.	Whether Licence has been issued by the Chief Wild Life Warden under Chapter III B of the Act in case of specified plants	YES/NO																																																									
14.	If imported, provide date of import, port of import and bill of entry no. and date and in case of restricted Convention on International Trade in Endangered Species of wild fauna and flora listed items, import license number and date of issue by Directorate General of Foreign Trade, permission letter of Ministry of Environment, Forest and Climate Change allowing the import																																																										
15.	Port of Exit																																																										
16.	Any other detail																																																										

Undertaking

I[name of the applicant] Son of or Daughter of or Wife of[Father's name or Husband Name] hereby declare that all the particulars furnished by me are true to the best of my knowledge and any detail furnished above, if found to be false shall make my application liable for rejection.

I shall abide by all the conditions mentioned in the Regulation in International Trade in Specimens Rules, 2023 and any other condition that may be imposed by the Chief Wild Life Warden.

Date:

Signature:

Place:

Name of the Applicant:

Present Address of the Applicant:

List of enclosures:

1. Copy of the Aadhar Card of the Applicant or Registration Certificate or Certificate of incorporation in case of a Society or Company or Board etc.
2. Address proof of the Applicant
3. Copy of the Advance Import permit issued by the concerned Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of export of Appendix I Species

4. Copy of the Import permit issued by Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of Appendix I Species/Import licence issued by Directorate General of Foreign Trade in case of re-export.
5. Copy of Legal Procurement Certificate issued by concerned Forest Department in case of export.
6. Copy of No Objection Certificate of Chief Wild Life Warden

FORM II
[See sub-rules (2) of rules 4, 5, 6, 8 and 11]

LEGAL PROCUREMENT CERTIFICATE
(Fauna/Flora/Derivatives)
(NON-TRANSFERABLE)

CERTIFICATE NO.**DATED****VALID UPTO**

1. This certificate is hereby issued in favour of Mr./Ms. _____ Son of/Daughter of/Wife of _____ resident of _____ (Postal Address) holder of Licence no.(if applicable) _____ for export of specimen of species as detailed in the table below.
2. I hereby certify that the specimen of species listed in Schedule IV described in the table below have been verified by this office and the same are recommended for export/re-export.
3. Details of specimen of species:

Serial number	Description of the item	Scientific name of the species	Common/Local Name	Quantity (No/weight)	Remarks if any
(1)	(2)	(3)	(4)	(5)	(6)

Signature and designation of the official
 (not below the rank of the Deputy Conservator of Forests)
 Designation

Form-III
[See sub rule (3) of rRule 4 and sub-rule (2) of rule 11]

Pre-Convention Certificate		PERMIT/CERTIFICATE No.	Original	
		<input type="checkbox"/> EXPORT	2. Valid until	
3. Importer (name and address) 3a. Country of import		4. Exporter/re-exporter (name, address and country)		
		Signature of the applicant		
5. Special conditions If for live animals, this permit or certificate is valid only if the transport conditions comply with the International Air Transport Association Live Animals Regulations; if for live plants, with the International Air Transport Association Perishable Cargo Regulations; or, in the case of non-air transport, with the Convention on International Trade in Endangered Species of wild fauna and flora Guidelines for the Non-Air Transport of Live Wild Animals and Plants		6. Name, address, national seal/stamp and country of Management Authority		
5a. Purpose of the transaction	5b. Security stamp no.			
7./8. Scientific name (genus and species) and common name of	9. Description of specimens, including identifying marks or numbers (age/sex if live)	10. Appendix no. and source	11. Quantity (including unit)	11a. Total exported/Quota

animal or plant							
A	7./8.	9		10	11		11a
	12. Country of origin	Permit no.	Date	12a. Country of last re-export	permit number	Date	12b. Date of acquisition
B	7./8.	9		10	11		11a
	12. Country of origin	Permit no.	Date	12a. Country of last re-export	permit number	Date	12b. Date of acquisition
C	7./8.	9		10	11		11a
	12. Country of origin	Permit no.	Date	12a. Country of last re-export	permit number	Date	12b. Date of acquisition
D	7./8.	9		10	11		11a
	12. Country of origin	Permit no.	Date	12a. Country of last re-export	permit number	Date	12b. Date of acquisition
* Country in which the specimens were taken from the wild, bred in captivity or artificially propagated (only in case of re-export)							
13. This permit/certificate is issued by: _____							
Place Date Security stamp, signature and official seal							
14. Export endorsement:				15. Bill of Lading/Air waybill number:			
Block	Quantity						
A							
B							
C							
D							
Port of export Date Signature Official stamp and title _____							

PRE-CONVENTION PERMIT/CERTIFICATE No.

Instructions and explanations

(These correspond to block numbers on the form)

1. Tick the square which corresponds to the type of document issued (export permit, re-export certificate, import permit or other). If the box "other" has been ticked, the type of document must be indicated. The original number is a unique number allocated to each document by the Management Authority.
2. For export permits and re-export certificates, the date of expiry of the document may not be more than six months after the date of issuance (one year for import permits).
3. Complete name and address of the importer.
3a. The name of the country must be written in full.
4. Complete name and address of the exporter/re-exporter. The name of the country must be stated. The absence of the signature of the applicant renders the permit or certificate invalid.
5. Special conditions may refer to national legislation or special conditions placed on the shipment by the issuing Management Authority. This block can also be used to justify the omission of certain information.
5a. The following codes should be used: **T** for commercial, **Z** for zoo, **G** for botanical garden, **Q** for circus or travelling exhibition, **S** for scientific, **H** for hunting trophy, **P** for personal, **M** for medical, **E** for education, **N** for reintroduction or introduction into the wild, **B** for breeding in captivity or artificial propagation and **L** for law enforcement / judicial / forensic.
- 5b. Indicate the number of the security stamp affixed in block 13.
6. The name, address and country of the issuing Management Authority should already be printed on the form.

7-8. Indicate the scientific name (genus and species, where appropriate subspecies) of the animal or plant as it appears in the Convention Appendices or the reference lists approved by the Conference of the Parties, and the common name of the animal or plant as known in the country issuing the permit.

9. Describe, as precisely as possible, the specimens entering trade (live animals, skins, flanks, wallets, shoes, etc.). If a specimen is marked (tags, identifying marks, rings, etc.), whether or not this is required by a Resolution of the Conference of the Parties (specimens originating in a ranching operation, specimens subject to quotas approved by the Conference of the Parties, specimens of Appendix-I species bred in captivity for commercial purposes, etc.), indicate the number and type of mark. The sex and age of the live animals should be recorded, if possible.

10. Enter the number of the Appendix of the Convention (I, II or III) in which the species is listed.

Use the following codes to indicate the source:

W Specimens taken from the wild

X Specimens taken in “the marine environment not under the jurisdiction of any State”.

R Ranned specimens: specimens of animals reared in a controlled environment, taken as eggs or juveniles from the wild, where they would otherwise have had a very low probability of surviving to adulthood.

D Appendix-I animals bred in captivity for commercial purposes in operations included in the Secretariat's Register, in accordance with Resolution Conf. 12.10 (Rev. CoP15), and Appendix-I plants artificially propagated for commercial purposes, as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 4, of the Convention

A Plants that are artificially propagated in accordance with Resolution Conf. 11.11 (Rev. CoP18), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5 (specimens of species included in Appendix I that have been propagated artificially for non-commercial purposes and specimens of species included in Appendices II and III)

C Animals bred in captivity in accordance with Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof, exported under the provisions of Article VII, paragraph 5

F Animals born in captivity (F1 or subsequent generations) that do not fulfil the definition of ‘bred in captivity’ in Resolution Conf. 10.16 (Rev.), as well as parts and derivatives thereof

Y Specimens of plants that fulfil the definition for ‘assisted production’ in Resolution Conf. 11.11 (Rev. CoP18) as well as parts and derivatives thereof

U Source unknown (**must be justified**)

I Confiscated or seized specimens

O Pre-Convention specimens (may be used with other source codes).

11. The quantity and units indicated should conform to the most recent version of the *Guidelines for the preparation and submission of Convention on International Trade in Endangered Species of wild fauna and flora annual reports*.

11a. Indicate the total number of specimens exported in the current calendar year (1 January to 31 December) (including those covered by the present permit) and the current annual quota for the species concerned (for example 500/1000). This should be done for the national quotas as well as for those determined by the Conference of the Parties.

12. The country of origin is the country in which the specimens were taken from the wild, bred in captivity or artificially propagated, except in the case of plant specimens that cease to qualify for an exemption from the provisions of Convention on International Trade in Endangered Species of wild fauna and flora. In such instances, the country of origin is deemed to be the country in which the specimens ceased to qualify for the exemption. Indicate the number of the permit or certificate of the exporting country and the date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-exports;

12a. The country of last re-export is the country from which the specimens were re-exported before entering the country in which the present document is issued. Enter the number of the re-export certificate of the country of last re-export and its date of issuance. If all or part of the information is not known, this should be justified in block 5. This block must only be completed in case of re-export of specimens previously re-exported.

12b. The “No. of the operation” is the number of the registered captive-breeding or artificial propagation operation. The “date of acquisition” is defined in Resolution Conf. 13.6 (Rev. CoP16) and is required only for pre-Convention specimens.

13. To be completed by the official who issues the permit. The name of the official must be written in full. The security stamp must be affixed in this block and must be cancelled by the signature of the issuing official and a stamp or seal. The seal, signature and security-stamp number should be clearly legible.

14. To be completed by the official who inspects the shipment at the time of export or re-export. Enter the quantities of specimens actually exported or re-exported. Strike out the unused blocks.

15. Enter the number of the bill of lading or air way-bill if the method of transport used requires the use of such a document.

AFTER USE THIS DOCUMENT MUST BE RETURNED TO the MANAGEMENT AUTHORITY OF THE IMPORTING COUNTRY.

Form IV
[See sub-rule (1) of rule 5]

Form for Application for personal or Household effects						
1.	(a) Name of the applicant					
	(b) Aadhar number of applicant					
2.	Permanent Address of the applicant					
3.	Present Address of the applicant					
4.	Purpose of the application (Please tick mark whichever is applicable)	Export / Re-export				
	Additional details of purpose of application					
5.	Source of specimen					
6.	Purpose of Export / Import / Re-export / Introduction from the Sea					
7.	Details of fee paid					
	(a) Transaction number / D.D. no					
	(b) Amount paid					
8.	Details of Specimen					
	Common Name	Scientific name	Number /quantity of specimens	Age /sapling /tree	Sex	International Trade Clarification based on Harmonized System HS Code
9.	Documentary proof for acquisition of household artifact					
10	Date since when the specimen has been with the					

	applicant	
11.	Legal Procurement Certificate Number, Date, Place, and Name of issuing Authority	
11.	Port of Exit	
12.	Any other detail	

Undertaking

I[name of the applicant] Son of or Daughter of or Wife of[Father's name or Husband Name] hereby declare that the all the particulars furnished by me are true to the best of my knowledge and any detail furnished above, if found to be false shall make my application liable for rejection.

I shall abide by all the conditions mentioned in the Regulation in International Trade in Specimens Rules, 2023 and any other condition that may be imposed by the Chief Wild Life Warden.

Date: _____ Signature _____

Place: _____

Name of the Applicant:

Present Address of the Applicant:

List of enclosures:

1. Copy of the Aadhar Card of the Applicant or Registration Certificate etc.
2. Address proof of the Applicant
3. Copy of the Advance Import permit issued by the concerned Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of export of Appendix I Species
4. Copy of the Import permit issued by Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of Appendix I Species/Import licence issued by Directorate General of Foreign Trade in case of re-export.
5. Copy of Legal Procurement Certificate issued by concerned Forest Department in case of export.
6. Copy of No Objection Certificate of Chief Wild Life Warden

FORM V
[See sub-rule (3) of rule 5]

Certificate for household effects					
1.	(a) Name of the applicant (b) Aadhar number of applicant (c) Import Export Code				
2.	Permanent Address of the applicant				
3.	Present Address of the applicant				
4.	Convention on International Trade in Endangered Species of wild fauna and flora Import Permit Number and Date of issue, if applicable				
5.	Date since when the specimen has been with the applicant				
6.	Details of Specimen for which extension of validity of permit/certificate is granted				
Common Name	Scientific name	Number specimens	or quantity	of Age or sapling or tree	Sex
					International Trade

					Clarification based on Harmonized System

1. This is to certify that the applicant, as per details mentioned above, is in possession of the Appendix I/Appendix II species since..... and is treated as an household property.
2. Any misinformation/violation of the provisions of Wild Life (Protection) Act, 1972 shall render this certificate granted invalid.

This certificate bearing no.....is issued by:

Place _____

Date _____

Security stamp, signature and official seal

FORM VI

[See sub-rule (1) of rule 6]

Application for treating Appendix I species bred in captivity as Appendix II

1	Name of the Applicant (with Aadhar number)				
2	Address of the Applicant (with proof)				
3	Phone Number or mobile				
4	E-mail id				
5	Name of the Species				
(a)	Common Name				
(b)	Scientific name				
6	Number of specimen				
7	Male/Female/unsexed				
8	Date of birth				
9	Address of the facility				
10	Registration no. of parents				
11	Date of registration				
12	CITES Registration number for the facility				
13	Licence number granted by Chief Wild Life Warden under Section 49 N of the Wild Life (Protection) Act, 1972				
14	Purpose for which the species was imported				
15	Details of Specimens				
Common Name	Scientific name	Number or quantity of specimens	Age or sapling or tree	Sex	International Trade Clarification based on Harmonized System Code
16	Remarks				

Date:

Place:

Name and Signature of the applicant

List of enclosures:

1. Copy of the Aadhar Card of the Applicant
2. Copy of Registration Certificate from Convention on International Trade in Endangered Species of wild fauna and flora Secretariat.
3. Copy of Licence granted by Chief Wild Life Warden under Section 49 N of the Wild Life (Protection) Act, 1972.
4. Address proof of the Applicant
5. Copy of the Advance Import permit issued by the concerned Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of export of Appendix I Species
6. Copy of the Import permit issued by Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of Appendix I Species/Import licence issued by Directorate General of Foreign Trade in case of re-export.
7. Copy of No Objection certificate of Chief Wild Life Warden

Form VII
[See sub-rule (1) of rule 8]

Form VII		
Application for registration of Scientist or Scientific institution who intends, for a non-commercial loan, donation or exchange of herbarium specimens, other preserved, dried or embedded museum specimens, and live plant materials		
1.	Name of the Scientist/Scientific Institution	
2.	Address of the Scientist/Scientific Institution	
3.	Common Name of the Species	
4.	Scientific Name of the Species	
5.	Nature of trade	Export / Re-export
6.	Mode of trade	Non-commercial loan/donation/exchange
7.	Description of part/derivative including identification marks or if alive, number, age of specimen	
8.	Quantity (Number of specimen or net weight in kilograms) to be traded	
9.	Convention on International Trade in Endangered Species of wild fauna and flora permit/certificate Number and date	
10.	Direktorate general of Foreign Trade Import/Export Licence Number and date	
11.	Port of Exit/Entry	
12.	Label to be registered	
13.	Any other detail	

Date:

Signature

Place:

Name of the Applicant:
 Present Address of the Applicant:

FORM VIII

[See sub-rule (3) of rule 8]

FORM VIII

Convention on International Trade in Endangered Species of wild fauna and flora Management Authority
Certificate and Label for Scientific Institution

1.	Name of the Scientist/Scientific Institution/Forensic Research Institution			
2.	Address of the Scientist/Scientific Institution/Forensic Research Institution			
3	Fresh application or Renewal of application			
3a.	If renewal, please provide the previous Convention on International Trade in Endangered Species of wild fauna and flora Authority Label number			
3.	Common Name of the Species			
4.	Scientific Name of the Species			
5.	Nature of trade	Export /Re-export		
6.	Mode of trade	Non-commercial loan/donation/exchange		
7.	Description of part/derivative including identification marks or if alive, number, age of specimen			
8.	Quantity (Number of specimen or net weight in kilograms) to be traded			
9.	Convention on International Trade in Endangered Species of wild fauna and flora permit/certificate Number and date			
10.	Directorate General of Foreign Trade Import/Export Licence Number and date			
11.	Port of Exit/Entry			
12	Name of the Scientific Institution where specimen is proposed to be exported, with their Convention on International Trade in Endangered Species of wild fauna and flora Registration number			
13.	Label to be placed			
14.	Details			
Serial number		Classification of specimen (species, genus, order, class)	Common name	Description (herbarium, other dried preserved specimen, any other (please specify))

Certificate

I.....(Name of the authority)

..... as the Convention on International Trade in Endangered Species of wild fauna and flora Management Authority/authorized officer by the Management Authority hereby affixes the stamp and seal on the specimen whose details have been indicated above and assign the specimen with Convention on International Trade in Endangered Species of wild fauna and flora ID Number.....

This Convention on International Trade in Endangered Species of wild fauna and flora ID is non transferable and is valid for a period from..... to.....

Signature and Stamp of the issuing authority

Date:

Place:

FORM IX
[See sub-rule (1) of rule 9]

<u>Application for Registration of specimens in a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition</u>					
1	Whether application is for EXPORT IMPORT RE-EXPORT				
2	Date of entry into India				
3	Date of exit from India				
4	Port of entry (India)				
5	Port of exit (India)				
6	Country of destination (in case of exit)				
7	Country of import				
8	Name of the Applicant (with Aadhar number)				
9	Address of the Applicant (with proof)				
10	Phone Number or mobile				
11	E-mail id				
12	Purpose: Circus Live plant exhibitor Travelling zoo Menagerie Travelling exhibitions				
13	Details of specimens				
Serial number	Scientific name	Common name	Description (Live animal, animal derivate/parts; Plants live/derivate, etc.)	Quantity (in Kgs, mgs, etc.)	Identification marks (registration number, microchip, etc.)
14	Source of specimen From Wild From Captivity/Artificial propagation				
15	In case of wild, permit for collection etc.				
16	In case of artificial propagation/captivity, Details of Registration of the facility Details of origin of parent specimens (in case of animals)				

17	Mode of transportation of the specimens	
18	Safety measures for the specimens (in case of animal) transportation	Provide details in a separate sheet
19	Places where the specimens are proposed to be transported	Attach a separate detailed travel plan
20	Present location of the specimen	

Date:

Place:

Name and Signature of the applicant

List of enclosures:

1. Copy of the Aadhar Card of the Applicant
2. Copy of Registration Certificate from Convention on International Trade in Endangered Species of wild fauna and flora Secretariat.
3. Copy of Licence granted by Chief Wild Life Warden under Section 49 N of the Wild Life (Protection) Act, 1972.
4. Address proof of the Applicant
5. Copy of the Advance Import permit issued by the concerned Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of export of Appendix I Species
6. Copy of the Import permit issued by Convention on International Trade in Endangered Species of wild fauna and flora Management Authority in case of Appendix I Species/Import licence issued by Directorate General of Foreign Trade in case of re-export.
7. Copy of No Objection Certificate of Chief Wild Life Warden

FORM X**[See sub-rule (3) of rule 11]**

<u>Registration Certificate of specimens in a travelling zoo, circus, menagerie, plant exhibition or other travelling exhibition</u>					
1	Whether application is for EXPORT IMPORT RE-EXPORT				
2	Date of entry into India				
3	Date of exit from India				
4	Port of entry (India)				
5	Port of exit (India)				
6	Country of destination (in case of exit)				
7	Country of import				
8	Name of the Applicant (with Aadhar number)				
9	Address of the Applicant (with proof)				
10	Phone Number or mobile				
11	E-mail id				
12	Purpose: Circus Live plant exhibitor Travelling zoo Menagerie Travelling exhibitions				
13	Details of specimens				
Serial number	Scientific name	Common name	Description	Quantity	Identification

			(Live animal, animal derivate/parts; Plants live/derivate, etc)	(in Kgs, mgs, etc.)	marks (registration number, microchip, etc.)

Certificate

This is to certify that the application submitted by(name of applicant) dated..... for the purpose of..... has been examined and this authority has no objection for the specimens mentioned in the application and quoted above to be transported as part of travelling zoo/ circus/menagerie/plant exhibition/other travelling exhibition

Any misinformation/violation of the provisions of Wild Life (Protection) Act, 1972 shall render this certificate granted invalid.

This certificate bearing no.....is issued by:

Place
Date

Security stamp, signature and official seal

[F. No. WL/1/4/2023-WL]
SUSHIL KUMAR AWASTHI, Addl. Dir. Gen. (Wildlife)
and Dir. Wild Life Preservation

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಬುಧವಾರ, ೧೫, ಮಾರ್ಚ್, ೨೦೨೪

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
 ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ
 (ಡಿ.ಬಿ. ಜನಾರ್ಥನ)
 ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನೀಮಿತ್ತ
 ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದಶೀಲ
 ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
 ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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